

Deposition Transcript

Case Number: 2:23-cv-08968-FMO (Ex)

Date: January 30, 2026

In the matter of:

GUNDAM TOURING SERVICES US LLC v KATARINA BENZOVA

Fernando Lebeis

Reported by:
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FERNANDO LEBEIS
JANUARY 30, 2026

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JOB NO. 2323237

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

GUNDAM TOURING SERVICES US LLC;)
GUNDAM PRODUCTIONS, LLC; AND)
WATERHEAD INTERNATIONAL, INC.,)

Plaintiff,) Case No.:
2:23-cv-08968-FMO(Ex)

vs.)

KATARINA BENZOVA,)

Defendant)

Video-Recorded Deposition of

FERNANDO LEBEIS

Friday, January 30, 2026

925 N. La Brea Avenue, 5th Floor

Los Angeles, California

10:01 a.m. - 5:16 p.m.

Reported by: Lisa Atlas, California CSR No. 13330

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APPETITE FOR DISCUSSION

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Page 6 1 FRIDAY, JANUARY 30, 2026, LOS ANGELES, CALIFORNIA 2 10:01 a.m. 3 -oOo- 4 5 THE VIDEOGRAPHER: We are on the record. My name 6 is Brandon Cahela. I am a notary public contracted by 7 Steno. I am not financially interested in this action, 8 nor am I a relative or employee of any of the attorneys 9 or any of the parties. Today's date is January 30th, 10 2026. The time is 10:01 a.m. Pacific time. This 11 deposition is being taken at 925 North La Brea Avenue, 12 5th floor, Los Angeles, California 90038. The name of 13 the case is Gundam Touring Services US LLC vs. Katrina 14 Benzova, filed in the United States District Court, 15 Central District of California. Case number 16 2:23-cv-08968-FMO(Ex). This is the video-recorded 17 deposition of Mr. Fernando Lebeis, Volume I. The 18 attorney taking this deposition is Mr. Zach Rosenblatt. 19 Would all present please identify themselves, 20 beginning with our deponent. 21 State your name, sir. 22 THE WITNESS: Fernando Lebeis. 23 THE VIDEOGRAPHER: Thank you. 24 Counsel present, please identify yourselves 25 for the record.	Page 7 1 MR. GUTMAN: Alan Gutman on behalf of Plaintiffs 2 and Counter-Defendants. 3 MR. ROSENBLATT: Zach Rosenblatt on behalf of 4 Katarina Benzova. 5 MR. GUTMAN: We have another gentleman here. 6 MR. ACHESON: I'm a silent observer. 7 MR. GUTMAN: You need to identify yourself on the 8 record. You're not an admitted attorney, you're not 9 admitted in California, you're not admitted before the 10 Central District. Please state your name on the record. 11 MR. ACHESON: Let me mention this: No specific 12 Federal Rule of Civil Procedure expressly prohibits 13 silent attorneys or observers from attending a 14 deposition. 15 MR. GUTMAN: I'm not disputing your ability to be 16 here. If I was, you would be out of here. Just state 17 your name. 18 MR. ACHESON: I wouldn't be out of here because of 19 you. 20 MR. GUTMAN: You need to state your name. 21 MR. ACHESON: My name is Jim Acheson. 22 MR. GUTMAN: That's all I asked for, sir. 23 THE VIDEOGRAPHER: Thank you. We are ready to 24 proceed. The court reporter today is Ms. Lisa Atlas 25 with Steno.
Page 8 1 Would the reporter please swear in the 2 witness, and we may begin. 3 4 FERNANDO LEBEIS, 5 having been first duly placed under oath, 6 was examined and testified as follows: 7 8 MR. ROSENBLATT: Okay, good morning. 9 THE WITNESS: Good morning. 10 MR. ROSENBLATT: We're here for the noticed 11 deposition of Mr. – 12 It's "Le-BASE" or "Le-BEES"? 13 THE WITNESS: "Le-BASE." 14 MR. ROSENBLATT: "Le-BASE." And if I mispronounce 15 it, it's not – 16 THE WITNESS: It's fine. 17 MR. ROSENBLATT: – on purpose, it's out of habit. 18 Pursuant to Federal Rule of Civil Procedure 19 No. 30 and the Court's December 22nd, 2025, order at 20 Docket 188, before we begin, I establish the following 21 rules on the record to ensure this deposition proceeds 22 efficiently and in compliance with the Federal Rules. 23 First, all objections to taking this 24 deposition are waived. 25 MR. GUTMAN: Excuse me, that's a misstatement of	Page 9 1 the rule and of the law in California. You don't need 2 to misstate the rules. We will proceed according to the 3 Federal Rule of Civil Procedure. Please do not misstate 4 them. 5 MR. ROSENBLATT: The Court's order at Docket 188 – 6 MR. GUTMAN: Totally irrelevant. 7 MR. ROSENBLATT: – explicitly states – 8 MR. GUTMAN: We're here for the deposition. Start 9 asking questions properly. This is the improper way to 10 conduct a deposition, Counsel. If you had any 11 experience, you would know that. Conduct yourself 12 professionally, act civilly. But that's not – you 13 don't get to read what you interpret and misstate the 14 rules. Conduct yourself properly. 15 MR. ROSENBLATT: Quote, "all potential objections 16 to the taking of these depositions were waived by the 17 deponents' failure to seek or obtain a protective 18 order." That's from Docket 188. 19 MR. GUTMAN: Sir, we're here for the deposition. 20 That rule or that ruling has nothing to do with the 21 deposition here today other than we are proceeding. So 22 start the deposition. Conduct yourself properly. 23 MR. ROSENBLATT: Just let the record reflect 24 Mr. Gutman has interrupted me twice so far in the first 25 two minutes.

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Page 10 1 Second, this deposition is limited to seven 2 hours of on-the-record time, exclusive of breaks, 3 federal Rule of Civil Procedure 30(d)(1), and we rely on 4 Condit v. Dunne, 225 F.R.D. 100, 112 through 133 for 5 that. 6 Third, improper objections and speaking 7 objections are prohibited. All objections must, quote, 8 "be stated concisely in a non-argumentative and 9 non-suggestive manner," Federal Rule of Civil Procedure, 10 30(c)(2). 11 The following conduct is improper and will be 12 noted on the record as obstructionist: Speaking 13 objections that coach the witness or suggest answers; 14 objections that characterize testimony, answer for the 15 witness, or misstate the record; lengthy explanations 16 beyond stating the legal ground; or instructions not to 17 answer except to preserve privilege, enforce a prior 18 court order, or present a motion to terminate. And we 19 rely on Loop AI Labs Inc. v. Gatti, 2016 U.S. District 20 LEXIS 114247 for that. 21 Fourth, the attorney-client privilege protects 22 communications, not facts. And we'll rely on Upjohn Co. 23 v. United States, 449 U.S. 383, 395 (1981) for that. 24 And fifth, our goal is to obtain truthful, 25 direct answers, not to harass Mr. Lebeis. This	Page 11 1 examination will proceed in good faith. 2 And sixth, threats of sanctions may not be 3 used to gain advantage in this deposition. California 4 Rules of Professional Conduct Rule 3.2 provides that – 5 we'll rely on that. Okay. 6 Let the record reflect these preliminarily 7 matters, and we will now proceed with the examination of 8 Mr. "Le-BESS." 9 THE WITNESS: It's okay. 10 MR. ROSENBLATT: "Le-BEES." 11 THE WITNESS: "Le-BASE." It's fine. 12 MR. ROSENBLATT: "Le-BASE." 13 THE WITNESS: I've been living with it for a while. 14 15 EXAMINATION 16 BY MR. ROSENBLATT: 17 Q. Please state your full name for the record. 18 A. Fernando Lebeis. 19 Q. Have you ever been known by any other names? 20 A. Yes. Fernando Lebeis Freitas Santos. 21 Q. Have you ever had your deposition taken 22 before? 23 A. Not that I recall. I don't remember. I don't 24 think so. 25 Q. You don't remember if you've ever had your –
Page 12 1 A. No. 2 Q. – deposition taken? So you may or may not? 3 Is this your first deposition? 4 A. I believe it to be. I honestly don't 5 remember, but I think so. 6 Q. Okay. You understand that you're under oath 7 today? 8 A. I do. 9 Q. You understand that means you are sworn to 10 tell the truth the same as if we were in a courtroom 11 with a judge and a jury? 12 A. I do. 13 Q. Are you prepared to answer my questions today? 14 A. I am. 15 Q. There's nothing that will prevent you from 16 giving me your full attention? No medications, illness, 17 or anything else? 18 A. No. 19 Q. You aren't taking any medications or suffering 20 from any illness that will prevent you from 21 understanding my questions or answering them fully? 22 A. No. 23 Q. If you don't understand one of my questions, 24 will you tell me? 25 A. I will.	Page 13 1 Q. If you need to take a break at any time, tell 2 me, and we'll take a break. 3 Is that okay? 4 A. Yes. 5 Q. You understand that the court reporter will 6 transcribe everything we say here today? 7 A. Yep. 8 Q. We have up to seven hours on the record, 9 exclusive of breaks. 10 Do you understand that? 11 A. Yep. 12 Q. We're gonna get to the substantive questions 13 now. 14 What's your current residential address? 15 A. Brazil. 16 Q. What's the address? 17 MR. GUTMAN: You don't have to give the specific 18 address. You can give the city and state. 19 A. Ipanema, Rio de Janeiro, in the state of Rio 20 de Janeiro. 21 Q. How old are you? 22 A. 46. 23 Q. What's your current occupation? 24 A. Management. 25 Q. For?

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Page 14 1 A. Guns N' Roses. 2 Q. Meaning all of the Gun- -- all entities 3 affiliated with Guns N' Roses? 4 A. Guns N' Roses -- 5 MR. GUTMAN: Objection -- 6 THE WITNESS: Sorry. 7 MR. GUTMAN: Objection as to form. Foundation. 8 THE WITNESS: Guns N' Roses the band. 9 BY MR. ROSENBLATT: 10 Q. Are you currently employed by an entity? 11 A. No. 12 Q. What's your job title? 13 A. Manager of Guns N' Roses. 14 Q. Are you part of Team Brazil? 15 MR. GUTMAN: Objection as to form. 16 THE WITNESS: In what way? 17 BY MR. ROSENBLATT: 18 Q. Are you a manager, an officer at the 19 corporation Team Brazil Management, Inc.? 20 A. I am. 21 Q. What's your position? 22 A. I don't know. 23 Q. You don't know? 24 A. No. In the corporation, you mean? 25 Q. Mm-hmm.	Page 15 1 A. In the Team Brazil corporation? 2 Q. Yeah. 3 A. I don't know. 4 MR. ROSENBLATT: You don't know? Okay. 5 We'll mark for the record 201. 6 (Defendant's Exhibit 201 was marked.) 7 MR. ROSENBLATT: Will you read the corporation 8 name. 9 MR. GUTMAN: Read it to yourself. 10 THE WITNESS: Okay. 11 BY MR. ROSENBLATT: 12 Q. Does it say "Team Brazil Management, Inc.," at 13 the top right? 14 A. Yep. 15 Q. Under "Officers," does it say "Fernando 16 Lebeis"? 17 A. No. 18 Q. No? Right here? 19 A. That's under -- oh, "Additional Officers," 20 sorry. Yes. 21 Q. "Fernando Lebeis," and then it says the 22 position is "Vice President"? 23 A. Okay. 24 Q. So are you aware that you're Vice President of 25 Team Brazil Management, Inc.?
Page 16 1 A. I now am aware. 2 Q. You weren't aware before? 3 A. No, no. 4 Q. This is your first time you're becoming aware 5 of -- 6 A. This is my first time. 7 Q. Okay. So, do you know how long you've held 8 the position of Vice President -- 9 A. No. 10 Q. -- at Team Brazil Management? 11 A. No. 12 MR. GUTMAN: Just make sure you wait till he 13 finishes his question -- 14 THE WITNESS: Yes, sir. 15 MR. GUTMAN: -- before you start -- 16 THE WITNESS: Sorry. 17 MR. GUTMAN: -- to answer. Mostly for the court 18 reporter's sake, so that we have a clear transcript. 19 THE WITNESS: Okay. 20 BY MR. ROSENBLATT: 21 Q. So do you know how long you've held the 22 position of Vice President? 23 A. No. 24 Q. Do you know who appointed you Vice President? 25 A. No.	Page 17 1 Q. No? 2 A. No. 3 Q. Who else is part of Team Brazil Management? 4 A. My mother, my sister, and my brother. 5 Q. You had no idea that you were the vice 6 president? 7 A. No. 8 Q. Do you know what position your mother holds? 9 A. Yes. 10 MR. GUTMAN: Let the record reflect he's referring 11 to the document identified as Exhibit 201. 12 THE WITNESS: Yes. 13 BY MR. ROSENBLATT: 14 Q. Did you just find out today, or did you 15 know -- 16 A. Yes. 17 Q. -- before looking at the document? 18 A. Sorry. Can you ask again. 19 MR. ROSENBLATT: Will you repeat the pending 20 question. 21 (Last question read.) 22 THE WITNESS: Just found out today. 23 BY MR. ROSENBLATT: 24 Q. So you, before today, had no idea that 25 Elizabeth Lebeis was the chief executive officer at Team

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Page 18 1 Brazil Management? 2 A. "Le-BASE." I'm kidding. 3 Today. 4 Q. Today. Okay, and before today, did you have 5 any idea that Vanessa Santos was the secretary at Team 6 Brazil Management? 7 A. No. 8 Q. And before today, did you know that Alexandre 9 Santos was the chief financial officer at Team Brazil 10 Management, Inc.? 11 A. No. 12 Q. And before today, did you know that Vanessa 13 Santos was the vice president at Team Brazil Management? 14 A. No. 15 Q. And before today, did you know that Vanessa 16 Santos was a director? 17 A. No. 18 Q. And did you know that you were a director? 19 A. No. 20 Q. And did you know that your moth- -- 21 Do you prefer if I refer to your -- do you 22 mind -- is it okay if I call her Beta? 23 A. Yes. 24 Q. Did you know that Beta was a director as well? 25 A. No.	Page 19 1 Q. Okay. So do you think this information was 2 deliberately concealed from you? 3 A. No. 4 MR. GUTMAN: Objection. Argumentative. 5 THE WITNESS: No. 6 BY MR. ROSENBLATT: 7 Q. So why do you think you were completely 8 unaware that you were holding these positions? 9 MR. GUTMAN: Objection. Foundation. Speculation. 10 THE WITNESS: I don't know. 11 BY MR. ROSENBLATT: 12 Q. You don't know? 13 A. Mm-mm. 14 MR. GUTMAN: You don't have to repeat his answer 15 back. You were doing this yesterday and cautioned about 16 it and requested to stop that. It's an intimidation 17 tactic. It's inappropriate. 18 MR. ROSENBLATT: For the record, it's certainly not 19 an intimidation tactic. I'm just listening, and it's a 20 natural response. 21 MR. GUTMAN: Well, please curtail the natural part 22 of your -- 23 MR. ROSENBLATT: I'll do my -- 24 MR. GUTMAN: -- question-and-answer format. 25 MR. ROSENBLATT: I'll do my best, Mr. Gutman.
Page 20 1 MR. GUTMAN: Excuse me, don't speak while I'm 2 speaking. I'll show you the same courtesy. 3 MR. ROSENBLATT: Thank you. 4 Q. So what are your principal job 5 responsibilities as manager of Guns N' Roses? 6 A. That's a big question. Overseeing Guns N' 7 Roses as a whole. 8 Q. What does that entail? 9 A. Looking for tour dates, doing anything that 10 Axl may ask me; if it's release a song, overseeing sync 11 requests, going to Axl and saying yes or no, or asking 12 for a yes or no. 13 Q. What's a sync request? 14 A. If a movie want wants to use a song, if a 15 commercial, anyone in the world wants to use a song, use 16 part of a song, use the lyrics of a song. 17 Q. So you're in charge of handling all the sync 18 licensing deals of Guns N' Roses? 19 MR. GUTMAN: Objection. Misstates, 20 mischaracterizes. Argumentative. 21 THE WITNESS: I am a conduit. 22 BY MR. ROSENBLATT: 23 Q. Do you review the contract? 24 A. No. 25 Q. Do you -- a conduit between who?	Page 21 1 A. The company that receives the requests, and 2 sharing it to the principals. 3 Q. What's the last sync license request that you 4 passed along? 5 A. I don't -- I don't think this -- I think this 6 information is not okay to share. 7 Q. When is the last time you passed along that 8 type of information? 9 MR. GUTMAN: Just give us a date, if you recall. 10 No, not a specific date. You're not gonna refer to 11 anything else. If you can recall. 12 THE WITNESS: Yesterday. 13 MR. ROSENBLATT: Mr. Gutman, please don't suggest 14 or coach the witness. 15 MR. GUTMAN: Excuse me, your question is 16 inappropriate, and I'm trying to assist you. I'll 17 instruct him not to answer anything to do with sync 18 licenses. They have absolutely nothing to do with this 19 case. It's harassing. 20 MR. ROSENBLATT: Let the record reflect this is not 21 Mr. Gutman assisting me. 22 MR. GUTMAN: You don't have to say "let the record 23 reflect." There is a record that is taking down 24 everything that's being said. 25 MR. ROSENBLATT: So, will you repeat the last

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Page 22 1 pending question, please. 2 THE REPORTER: He said "yesterday." 3 MR. ROSENBLATT: "Yesterday." 4 THE WITNESS: I said "yesterday." 5 BY MR. ROSENBLATT: 6 Q. Okay. How many times have you been deposed, 7 approximately? 8 MR. GUTMAN: Asked and answered. 9 THE WITNESS: I don't know. 10 BY MR. ROSENBLATT: 11 Q. Over five? 12 A. No. Definitely no. 13 Q. Somewhere between now and one and five? 14 MR. GUTMAN: Objection. Misstates and 15 mischaracterizes earlier testimony. Asked and answered. 16 THE WITNESS: I honestly don't know how to answer 17 your question because I don't remember if I have been 18 deposed before. 19 BY MR. ROSENBLATT: 20 Q. Have you been deposed – was it in Brazil? 21 Was it in California perhaps? 22 A. Wherever it would have been, I don't remember. 23 And I'm not joking. I'm just serious. I can't. 24 Q. Right. But you know for sure you haven't been 25 deposed more than five times?	Page 23 1 MR. GUTMAN: Objection – 2 THE WITNESS: Yes. 3 MR. GUTMAN: – argumentative. Asked and answered. 4 Harassing. 5 BY MR. ROSENBLATT: 6 Q. You understand that you're under oath today; 7 right? 8 A. Yes. 9 Q. And do you understand the difference between 10 testifying truthfully and committing perjury? 11 A. Yes. 12 Q. Have you met with any attorneys to prepare for 13 this deposition? 14 A. Yes. 15 Q. When? 16 A. When... 17 Q. Did you meet with any attorneys? 18 A. Today. 19 Q. How long did you meet with the attorneys for? 20 A. About this deposition? 21 Q. Mm-hmm. 22 A. Ten minutes. 23 Q. Did anyone show you any documents during your 24 preparation? 25 A. No.
Page 24 1 Q. Did anyone instruct you how to answer 2 questions today? 3 MR. GUTMAN: Objection. Privilege. 4 You don't have to answer that. 5 MR. ROSENBLATT: You're instructing him not to 6 answer? 7 MR. GUTMAN: I just did. The subject of any 8 communications with counsel are privileged. 9 BY MR. ROSENBLATT: 10 Q. Did anyone tell you what questions would be 11 asked? 12 MR. GUTMAN: Objection. Privilege. The subject of 13 any communications is privileged. Instruct the witness 14 not to answer. 15 Counsel, you should know that. 16 BY MR. ROSENBLATT: 17 Q. What's the highest level of education you've 18 completed? 19 A. High school. 20 Q. Did you attend college? 21 A. Yes. 22 Q. Where? 23 A. Moorpark. 24 Q. Where's that? 25 A. Moorpark, California.	Page 25 1 Q. What year did you start? 2 A. '97. 3 Q. What was your main area of study? 4 A. Computer science. 5 Q. Have you ever taken any courses in copyright 6 law? 7 A. No. 8 Q. Have you ever taken any courses in 9 intellectual property law? 10 A. No. 11 Q. Have you ever taken any courses in employment 12 law? 13 A. No. 14 Q. Have you ever received any training on sexual 15 harassment prevention? 16 A. No. 17 Q. Have you ever received any training on 18 workplace discrimination prevention? 19 A. No. 20 Q. So, do you know when you first became an 21 officer at Team Brazil? 22 A. No. Today, sorry. 23 Q. That's when you became aware – 24 A. Yeah. 25 Q. – but you don't know when you were appointed

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Page 26 1 by somebody else? 2 A. Correct. 3 Q. You weren't self-appointed? 4 A. No. 5 Q. So do you know what your responsibilities are 6 as an officer at Team Brazil Management? 7 A. No. 8 Q. Do you have the authority to bind Team Brazil 9 Management contractually? 10 MR. GUTMAN: Objection. Calls for a legal 11 conclusion. Foundation. 12 THE WITNESS: Don't know. 13 BY MR. ROSENBLATT: 14 Q. You could, though? 15 A. I don't know. 16 Q. Who would know? 17 MR. GUTMAN: Objection. Calls for speculation. 18 Foundation. 19 THE WITNESS: I don't know. A lawyer? 20 BY MR. ROSENBLATT: 21 Q. Would Beta know? 22 MR. GUTMAN: Objection. Speculation. Foundation. 23 THE WITNESS: I don't know. 24 BY MR. ROSENBLATT: 25 Q. Would Vanessa know?	Page 27 1 MR. GUTMAN: Objection. Speculation. Foundation. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Would Alex Santos know? 5 MR. GUTMAN: Objection. Speculation. Foundation. 6 THE WITNESS: I don't know. 7 BY MR. ROSENBLATT: 8 Q. Would Axl Rose know? 9 MR. GUTMAN: Objection. Speculation. Foundation. 10 THE WITNESS: I don't know. 11 BY MR. ROSENBLATT: 12 Q. Would Slash know? 13 MR. GUTMAN: Objection. Speculation. Foundation. 14 THE WITNESS: I don't know. 15 BY MR. ROSENBLATT: 16 Q. Would Duff know? 17 MR. GUTMAN: Objection. Speculation. Foundation. 18 THE WITNESS: I don't know. 19 BY MR. ROSENBLATT: 20 Q. Which lawyer may know? 21 MR. GUTMAN: Objection. Speculation. Foundation. 22 THE WITNESS: Alan Gutman. 23 BY MR. ROSENBLATT: 24 Q. Are you currently an officer at any Gutman – 25 sorry, not Gutman – Gundam entity?
Page 28 1 A. I don't know. 2 Q. Are you currently an officer at Waterhead 3 International, Inc.? 4 A. I don't know. 5 Q. So, when did you first start working with Guns 6 N' Roses? 7 A. 2000. 8 Q. What was your initial role with Guns N' Roses? 9 A. Wardrobe. 10 Q. Who appointed you that role? 11 A. Self-appointed. 12 Q. You had the power to just say, "I'm in charge 13 of wardrobe"? Or what was your duties and 14 responsibilities with wardrobe? 15 MR. GUTMAN: Objection as to form. Compound. 16 BY MR. ROSENBLATT: 17 Q. What were your duties and responsibility as 18 wardrobe? 19 A. That the guys had clothes to wear when they're 20 on stage. 21 Q. So what would you do? 22 A. Make sure that they have clothes to wear 23 before they go on stage. 24 Q. Would you purchase the clothes? 25 A. No.	Page 29 1 Q. Would you select the clothes for them? 2 A. No. 3 Q. And you appointed yourself. Did you have – 4 did you work under anybody? 5 MR. GUTMAN: Pardon me. Predicate. Misstates and 6 mischaracterizes testimony. Objection to form. 7 Argumentative. 8 MR. ROSENBLATT: Let me rephrase. 9 Q. Did you work under anyone as wardrobe? 10 A. I don't recall. 11 Can you re-ask the question? 12 MR. ROSENBLATT: Will you repeat the pending 13 question. 14 (Last question read.) 15 THE WITNESS: Yes, I did. 16 BY MR. ROSENBLATT: 17 Q. Who? 18 A. The production manager. 19 Q. What was the production manager's name? 20 A. I don't recall who he was back then. 21 Q. And did he pay you? 22 A. No. 23 Q. Who paid you as wardrobe? 24 A. Guns N' Roses the band. 25 Q. How much did you get paid?

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Page 30 1 MR. GUTMAN: Objection. Instruct the witness not 2 to answer. Privacy. 3 BY MR. ROSENBLATT: 4 Q. Did you get paid a salary? 5 MR. GUTMAN: Objection. Relevance. And instruct 6 the witness not to answer on privacy grounds. 7 BY MR. ROSENBLATT: 8 Q. When did you become the manager of Guns N' 9 Roses? 10 A. I believe 2011. 11 Q. And were you wardrobe from 2000 to 2011? 12 A. No. 13 Q. What did you do after wardrobe? 14 A. I went and worked as an assistant for Axl. 15 Q. In what year? 16 A. 2003. 17 Q. So you did wardrobe from 2000, and then in 18 2003, did Axl appoint you his assistant, or was that 19 self-appointed as well? 20 MR. GUTMAN: Objection. Compound. Also, it's a 21 false dichotomy that there's only two options. 22 You can answer the question if you can. 23 THE WITNESS: I asked. 24 BY MR. ROSENBLATT: 25 Q. You initiated, and then he said yes?	Page 31 1 A. Yes. 2 Q. So he appointed you? He had the power to 3 appoint you; that's why you asked? 4 MR. GUTMAN: Objection. Foundation. Objection as 5 to form. 6 THE WITNESS: To be his assistant, he had the 7 power, yeah. 8 BY MR. ROSENBLATT: 9 Q. And then, so from 2003 to 2011, you were the 10 assistant of Axl Rose? 11 A. No. 12 Q. What did you do between then? 13 A. I became an assistant tour manager. 14 Q. Okay. Which tour manager? 15 MR. GUTMAN: Objection. Misstates, 16 mischaracterizes the testimony. 17 THE WITNESS: I don't understand your question. 18 MR. ROSENBLATT: Will you repeat the pending 19 question. 20 (Last question read.) 21 THE WITNESS: That I was an assistant of – for? 22 MR. ROSENBLATT: Will you repeat Mr. Lebeis's 23 last – second to last statement, I believe. 24 (Record read incorrectly as follows: 25 "I became an assistant to a manager.")
Page 32 1 MR. GUTMAN: He said "to a manager," and then your 2 question was "tour manager." 3 THE WITNESS: No, no. No, no, tour manager. Yeah, 4 tour manager. So I was an assistant. After, from an 5 assistant, I went and became an assistant tour manager. 6 BY MR. ROSENBLATT: 7 Q. And what was the name of the tour manager that 8 you were the assistant to? 9 A. I don't remember their names. 10 Q. There was multiple? 11 A. At that time, there was two. 12 Q. Was one of them named Doc McGhee? 13 A. No. 14 Q. Was one of them named Irving Azoff? 15 A. No. 16 Q. So you don't remember any of their names? 17 A. Those are managers. 18 MR. GUTMAN: Yeah, first of all, "don't remember 19 any of their names," asked and answered, objection. 20 BY MR. ROSENBLATT: 21 Q. What's the difference between a tour manager 22 and a manager? 23 A. A manager puts a plan together. A tour 24 manager executes the plan as it relates to a tour. 25 Q. What usually goes into the plan that the	Page 33 1 manager creates? 2 MR. GUTMAN: Objection. Overbroad. Form. 3 THE WITNESS: I don't understand the... 4 BY MR. ROSENBLATT: 5 Q. You said a manager creates a plan? 6 A. Mm-hmm. 7 Q. What's an example of a plan? 8 A. Tour dates. 9 MR. GUTMAN: Objection to form. 10 THE WITNESS: Sorry. 11 MR. GUTMAN: Go ahead. 12 THE WITNESS: Tour dates. 13 BY MR. ROSENBLATT: 14 Q. Locations? 15 A. Territories. 16 Q. In the sequence of the tour dates? 17 A. Eventually. 18 Q. To determine the venues? 19 A. No. We can suggest which venues we want to 20 play. 21 Q. Do you plan anything to do with branding? 22 MR. GUTMAN: "Anything..." I'm sorry, I couldn't 23 hear the last word. 24 MR. ROSENBLATT: To do with branding. 25 MR. GUTMAN: Branding. Objection to form.

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Page 34 1 Foundation. Vague and ambiguous. Unintelligible. 2 THE WITNESS: In what sense? 3 MR. ROSENBLATT: In a declaration that you 4 submitted to the court. 5 THE WITNESS: Okay. 6 BY MR. ROSENBLATT: 7 Q. I believe you said that you were in charge of 8 all Guns N' Roses branding? 9 MR. GUTMAN: If you want to read -- show him the 10 particular declaration. He doesn't have to accept your 11 representation that that's what the declaration states. 12 But if you recall, go ahead. 13 THE WITNESS: I don't recall. 14 MR. ROSENBLATT: Okay, we'll come back to it. 15 THE WITNESS: Uh-huh. 16 BY MR. ROSENBLATT: 17 Q. So the tour manager executes the plan of the 18 band manager? 19 MR. GUTMAN: Objection. Misstates, 20 mischaracterizes testimony. Also incomplete 21 hypothetical. 22 THE WITNESS: A tour manager plans the tour as it 23 relates to hotels, travels, ground transportation, 24 getting the band from leaving their home and getting 25 back to their home, and everything in between, during a	Page 35 1 tour segment. 2 BY MR. ROSENBLATT: 3 Q. So transportation, accommodations? 4 A. Travel. 5 Q. Travel. 6 A. And show-day activities. 7 Q. What are -- 8 MR. GUTMAN: Is there a question pending? 9 MR. ROSENBLATT: Yeah, I'm asking what duties he 10 did as a tour manager. 11 THE WITNESS: Getting to the show. If they're 12 sick, making sure that people below tour managers, like 13 wardrobe, will have the proper medicine. If it's -- 14 anything to do that what is asked from a band member. 15 BY MR. ROSENBLATT: 16 Q. Are tour managers -- do they deal with 17 intellectual -- 18 A. No. 19 Q. -- property? 20 A. No. 21 Q. And how long were you -- 22 MR. GUTMAN: Pardon. Objection as to form. 23 Incomplete hypothetical. 24 THE WITNESS: I would like to rephrase. My job as 25 a tour manager did not.
Page 36 1 BY MR. ROSENBLATT: 2 Q. And how long were you a tour manager for? 3 A. These are all speculation, like I'm just 4 trying to -- 5 Q. Your approximation? 6 A. Yeah, yeah, yeah, yeah, yeah. 7 Until I became a manager. So six years. 8 Q. From 2003 to 2011. Does that sound right? 9 MR. GUTMAN: Misstates, mischaracterizes testimony. 10 THE WITNESS: No. 2003 to -- 2003 to 2005, I was 11 an assistant to Axl. And then from 2005 to when I 12 became manager. 13 BY MR. ROSENBLATT: 14 Q. Got it. Thank you. And then who appointed 15 you as manager of Guns N' Roses? 16 A. Axl Rose. 17 Q. Did anyone else? 18 A. No. 19 Q. Slash didn't appoint you? 20 A. He wasn't in the band then. 21 Q. And Duff didn't appoint you? 22 A. He wasn't in the band then. 23 Q. And what are all your responsibilities as 24 manager of Guns N' Roses? 25 MR. GUTMAN: Objection to form.	Page 37 1 THE WITNESS: Be a conduit to any requests as it 2 relates to syncs, finding touring partners, overseeing 3 the -- putting a tour together, and speaking to tour 4 personnel, management position-holders. What else? I 5 think that's just -- overseeing Guns N' Roses the brand 6 and the band. 7 BY MR. ROSENBLATT: 8 Q. What do you mean "the brand"? 9 A. Guns N' Roses is a brand. 10 Q. So how do you oversee the brand? 11 A. If there are any usage requests to use the 12 logo, you go through a merch company, then it will go 13 through me, and then it gets pushed over to Legal. 14 Q. What's your merch company? 15 A. We had a couple at the time, but Bravado has 16 been our -- Bravado. 17 Q. Is Bravado your current merch company? 18 A. Correct. 19 Q. Was Bravado your merch company in 2022? 20 A. I don't remember when Bravado -- 21 Bravado was involved throughout my entire 22 employment with Guns N' Roses. 23 Q. So Bravado has been -- 24 And I'm just using the term "merch company" 25 because you used it.

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Page 38 1 A. Yeah. 2 Q. – the merchandise company with Guns N' Roses 3 since 2011 to present day? 4 MR. GUTMAN: Objection. Foundation. 5 THE WITNESS: I believe from 2000. 6 BY MR. ROSENBLATT: 7 Q. Maybe even beyond that? 8 A. Yeah. 9 Q. Okay. And do they have an exclusive 10 merchandise deal with Guns N' Roses? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: Yes. 13 BY MR. ROSENBLATT: 14 Q. And you guys have licensing deals? 15 A. Bravado will have licensing opportunities for 16 us to approve or deny. 17 Q. So you approve or deny forms of merchandise? 18 MR. GUTMAN: Objection as to form. Incomplete 19 hypothetical. Calls for speculation. Foundation. 20 THE WITNESS: What do you mean "forms"? 21 BY MR. ROSENBLATT: 22 Q. What types of merchandise does the merch 23 company produce? 24 A. Beyond T-shirts? 25 Q. Yes.	Page 39 1 A. Like coffee mugs. 2 Q. T-shirts. What else? 3 MR. GUTMAN: He just said coffee mugs. 4 BY MR. ROSENBLATT: 5 Q. Anything else? 6 A. Anything you can put a logo on. 7 Q. Posters? 8 A. Sure. 9 Q. Calendars? 10 A. Yes. 11 Q. Tour books? 12 A. What are tour books? 13 Q. You tell me. 14 MR. GUTMAN: Hold on. He just said, "What are tour 15 books?" And you said, "You tell me." That's improper 16 argument. Foundation. 17 MR. ROSENBLATT: Are you instructing him not to 18 answer? 19 THE WITNESS: I don't understand what tour books 20 are. 21 BY MR. ROSENBLATT: 22 Q. Okay. Are there booklets of photos that are 23 distributed at concerts? 24 MR. GUTMAN: Objection as to form. Vague and 25 ambiguous. Unintelligible.
Page 40 1 THE WITNESS: Distributing in what sense? 2 BY MR. ROSENBLATT: 3 Q. That they're available for sale at concerts. 4 A. Individually? Separately? 5 Q. To whoever wants to buy them, to an individual 6 that wants to buy them. 7 MR. GUTMAN: Objection. Incomplete hypothetical. 8 Foundation. 9 THE WITNESS: I don't understand the question. 10 MR. ROSENBLATT: Okay, no problem. 11 THE WITNESS: I honestly don't. 12 BY MR. ROSENBLATT: 13 Q. I'll rephrase. 14 Do you know what a brochure is? 15 MR. GUTMAN: Objection. Vague. 16 THE WITNESS: I understand what a brochure is. 17 BY MR. ROSENBLATT: 18 Q. Is there like something akin to a brochure for 19 a Guns N' Roses concert? 20 A. Something a-what? 21 MR. GUTMAN: Objection. Form. Vague and 22 ambiguous. Unintelligible. 23 MR. ROSENBLATT: "Akin," like "similar to." 24 MR. GUTMAN: Same objection. 25 THE WITNESS: I don't know.	Page 41 1 BY MR. ROSENBLATT: 2 Q. Okay. What about books? Is that considered 3 a – 4 MR. GUTMAN: Are you going to – 5 BY MR. ROSENBLATT: 6 Q. – form of merchandise? 7 MR. GUTMAN: – complete the question so that we 8 have a clear record of what you're asking? 9 BY MR. ROSENBLATT: 10 Q. Is a book a form of merchandise? 11 MR. GUTMAN: Objection. Vague. Foundation. 12 THE WITNESS: Is a book a form of merchandise? Any 13 book? 14 BY MR. ROSENBLATT: 15 Q. Let me rephrase. 16 A. Okay. 17 Q. Has Guns N' Roses ever produced a tour book? 18 MR. GUTMAN: Asked and answered. Foundation. 19 Vague, ambiguous, unintelligible. 20 THE WITNESS: I don't understand what a tour book 21 is. 22 BY MR. ROSENBLATT: 23 Q. Okay, we'll come back to it. 24 Are sweaters a form of merchandise? 25 A. Yes.

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Page 42 1 Q. And can you tell me more about the approval 2 process of the merchandise? 3 MR. GUTMAN: Objection. Vague. Overbroad. 4 Foundation. 5 THE WITNESS: Approval in what way? 6 BY MR. ROSENBLATT: 7 Q. Do you approve the merchandise with Bravado? 8 MR. GUTMAN: Objection. Foundation. Incomplete 9 hypothetical. Speculation. 10 THE WITNESS: I convey the final word, if it's 11 approved or not approved. 12 BY MR. ROSENBLATT: 13 Q. And who approves it? 14 A. It's overseen by the team. 15 Q. Who's "the team"? 16 A. The principals and/or their representatives. 17 Q. And who are the principals and/or their 18 representatives? 19 A. The principals as it relates to when? 20 Q. To what you just referred to the principals 21 as. 22 A. As in time. 23 Q. As in time? 24 A. Mm-hmm. 25 Q. Like time?	Page 43 1 A. Like, okay, time. Time consists of time that 2 eventually goes into days, that turns into months and 3 years. So which years are you asking me who the 4 principals are? 5 BY MR. ROSENBLATT: 6 Q. 2022. 7 A. Axl, Slash, and Duff. 8 Q. 2021. 9 A. Axl, Slash, and Duff. 10 Q. 2020. 11 A. It would be Axl, Slash, and Duff until, I 12 believe, 2015. 13 Q. And how about 2011 to 2014 or '15? 14 A. As it relates to principals? My boss then was 15 Axl. 16 Q. He was the only principal? 17 A. He was the only principal as it relates to my 18 touring merchandise. 19 Q. From 2011, 2012, 2013, 2014? 20 A. Correct. 21 Q. So Axl has been a constant principal from 2011 22 to present day? 23 MR. GUTMAN: Objection as to form. Foundation. 24 THE WITNESS: That was a question or a statement? 25 ///
Page 44 1 BY MR. ROSENBLATT: 2 Q. Has Axl been a principal from 2011 to 2025? 3 MR. GUTMAN: Objection as to form. Vague, 4 ambiguous, unintelligible. 5 THE WITNESS: To my understanding, yes. 6 BY MR. ROSENBLATT: 7 Q. Do you have authority to negotiate contracts 8 on behalf of Guns N' Roses? 9 MR. GUTMAN: Objection. Foundation. 10 THE WITNESS: I am – at what time? During what 11 time? 12 MR. ROSENBLATT: From 2011 to present day. 13 MR. GUTMAN: Objection. Foundation. Form. 14 BY MR. ROSENBLATT: 15 Q. We'll go through each year. Is that more 16 helpful? 17 MR. GUTMAN: Same objections. 18 Go through whatever you want. 19 THE WITNESS: Lead the way. 20 BY MR. ROSENBLATT: 21 Q. Did you ever have the authority to negotiate 22 contracts on behalf of Guns N' Roses? 23 MR. GUTMAN: Objection. Incomplete hypothetical. 24 Calls for speculation. Foundation. 25 THE WITNESS: Negotiate to the point of both	Page 45 1 parties being at their happiest, but I do not have the 2 final say. 3 Q. Who has the final say? 4 MR. GUTMAN: Objection. Form. Incomplete 5 hypothetical. Calls for speculation. Foundation. 6 THE WITNESS: During what period? 7 MR. ROSENBLATT: 2022. 8 THE WITNESS: Axl, Slash, Duff, by form of their 9 representatives. 10 BY MR. ROSENBLATT: 11 Q. 2023? 12 MR. GUTMAN: It's not a complete question, but – 13 MR. ROSENBLATT: Same question. 14 MR. GUTMAN: – I assume it's – 15 BY MR. ROSENBLATT: 16 Q. It's the same question. 17 A. The same answer would be from 2015 until 18 present day. 19 Q. Okay. Did you have the authority to negotiate 20 contracts from 2011 to 2015? 21 MR. GUTMAN: Objection as to form. Foundation. 22 Incomplete hypothetical. 23 THE WITNESS: Negotiate to the point of both 24 parties being at their happiest. 25 ///

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Page 46 1 BY MR. ROSENBLATT: 2 Q. Tell me what that means. 3 A. You want ten, we want five, we settle at seven 4 and a half. 5 Q. And you have the ability to come up with a 6 number to bargain? 7 MR. GUTMAN: Objection. Incomplete hypothetical. 8 Foundation. 9 THE WITNESS: I don't – I don't understand the 10 question. 11 BY MR. ROSENBLATT: 12 Q. Do you have the discretion to counteroffer 13 with a specific number without the approval of the 14 principals? 15 MR. GUTMAN: Objection. Incomplete hypothetical. 16 Foundation. 17 THE WITNESS: I don't understand the question. 18 BY MR. ROSENBLATT: 19 Q. Okay. Do you have the power to negotiate – 20 not finalize, but to negotiate contracts on behalf of 21 Guns N' Roses? 22 MR. GUTMAN: Objection. Asked and answered. 23 Foundation. Incomplete hypothetical. 24 THE WITNESS: I have the ability to speak on behalf 25 of Guns N' Roses to get to a point where it may be	Page 47 1 acceptable to Guns N' Roses members. 2 BY MR. ROSENBLATT: 3 Q. So you're an agent of Guns N' Roses? 4 MR. GUTMAN: Objection. Calls for a legal 5 conclusion. Foundation. Argumentative. 6 THE WITNESS: I'm a manager for the band. 7 BY MR. ROSENBLATT: 8 Q. Do you have a principal/agent relationship 9 with the band? 10 MR. GUTMAN: Objection. Calls for a legal 11 conclusion. Foundation. Argumentative. 12 THE WITNESS: I don't understand the term "agent." 13 BY MR. ROSENBLATT: 14 Q. Do you have authority to negotiate contracts 15 on behalf of Team Brazil Management? 16 MR. GUTMAN: Objection. Foundation. Incomplete 17 hypothetical. 18 THE WITNESS: I don't understand the question. 19 BY MR. ROSENBLATT: 20 Q. Which part don't you understand? 21 MR. GUTMAN: The whole part. 22 THE WITNESS: The whole part. 23 BY MR. ROSENBLATT: 24 Q. Can you do the same thing for Guns N' Roses 25 that you can do – can you do that similar – do you
Page 48 1 have that similar power of being able to negotiate up to 2 a certain point for Team Brazil? 3 MR. GUTMAN: Objection. Foundation. Form. 4 Misstates, mischaracterizes prior testimony. Also 5 incomplete hypothetical. Calls for speculation. 6 THE WITNESS: Team Brazil Management is a 7 corporation that was put together. It has no business. 8 I have no business through Team Brazil Management. 9 BY MR. ROSENBLATT: 10 Q. Who put it together? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: I believe – actually, I don't know. 13 BY MR. ROSENBLATT: 14 Q. Who would know? 15 MR. GUTMAN: Objection. Foundation. 16 THE WITNESS: I believe one of the people here, one 17 of the other members. 18 BY MR. ROSENBLATT: 19 Q. Beta would know? 20 MR. GUTMAN: Objection. Foundation. 21 Argumentative. Asked and answered. 22 THE WITNESS: I don't know. 23 BY MR. ROSENBLATT: 24 Q. What's the purpose of Team Brazil Management? 25 MR. GUTMAN: Objection. Foundation. And form.	Page 49 1 Vague, ambiguous, unintelligible. 2 THE WITNESS: Team Brazil Management, this 3 corporation, or the name Team Brazil Management? 4 MR. ROSENBLATT: The corporation. 5 THE WITNESS: I don't know. 6 BY MR. ROSENBLATT: 7 Q. So, it says the "Type of Business" on page 2. 8 It says "Tour Production." 9 A. Okay. 10 Q. Is that the business that they're in? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: No. 13 BY MR. ROSENBLATT: 14 Q. No? This is incorrect? 15 MR. GUTMAN: You don't have to repeat his answer 16 when you're stating, after he's just stated his answer. 17 THE WITNESS: My understanding of a tour production 18 might be different than this "Tour Production." 19 BY MR. ROSENBLATT: 20 Q. What's your understanding of a tour 21 production? 22 A. When a production manager puts a tour 23 together, and as it has to do with putting the stage 24 together, audio, lights, video, that's from his tour 25 production. However, this could also be in a more broad

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1 description. 2 Q. Is Beta Lebeis your mother? 3 A. She is. 4 Q. What is Beta Lebeis's role with Team Brazil 5 Management? 6 MR. GUTMAN: Objection. Foundation. 7 THE WITNESS: Team Brazil Management the company? 8 MR. ROSENBLATT: Mm-hmm. 9 MR. GUTMAN: Let the record reflect he's referring 10 to Exhibit 201. 11 THE WITNESS: She's the CEO. 12 BY MR. ROSENBLATT: 13 Q. What is Beta Lebeis's role with Guns N' Roses? 14 MR. GUTMAN: Objection. Foundation. 15 THE WITNESS: Mom. 16 BY MR. ROSENBLATT: 17 Q. What do you mean by that? 18 A. She's mom. 19 Q. Can you elaborate? 20 A. What's "mom" to you? 21 Q. Like a motherly figure? 22 A. Just a person that is – cares for everybody. 23 Q. So she's the mom of Guns N' Roses. Does she 24 nurture – 25 A. No.	Page 50 1 Q. – or provide like – 2 I'm trying to – I'm just trying to find 3 out – 4 A. I understand. 5 Q. – what you mean by "mom." 6 A. Mm-hmm. 7 Q. So when you say she's the mom of Guns N' 8 Roses, can you give me an example of... 9 A. She's Axl's personal manager. 10 Q. Does she have any role with Gundam? 11 A. I don't know. 12 Q. Any Gundam entities? 13 A. I don't know. 14 Q. Does she have any role with Black Frog 15 Entities? 16 A. I don't know. 17 MR. GUTMAN: Objection. Foundation. 18 THE WITNESS: Oh, sorry. 19 I don't know. 20 BY MR. ROSENBLATT: 21 Q. Does she have any role with Waterhead 22 International entities? 23 MR. GUTMAN: Objection. Foundation. 24 THE WITNESS: I don't know. 25 /// Page 51
1 BY MR. ROSENBLATT: 2 Q. Is Vanessa Santos your sister? 3 A. Yes. 4 Q. What is Vanessa Santos's role with Team Brazil 5 Management, Inc.? 6 MR. GUTMAN: Objection. Foundation. 7 THE WITNESS: Secretary and Vice President. 8 MR. GUTMAN: Let the record reflect the witness was 9 referring to Exhibit 201. 10 BY MR. ROSENBLATT: 11 Q. What is Vanessa Santos's role with Guns N' 12 Roses? 13 MR. GUTMAN: Objection. Foundation. 14 THE WITNESS: Axl Rose's personal manager. 15 BY MR. ROSENBLATT: 16 Q. What does she do as personal manager? 17 MR. GUTMAN: Objection. Foundation. 18 THE WITNESS: I don't know. 19 BY MR. ROSENBLATT: 20 Q. Does she deal with photographs? 21 MR. GUTMAN: Objection. Incomplete hypothetical. 22 THE WITNESS: Deals in what way? 23 BY MR. ROSENBLATT: 24 Q. Have you ever seen her approve or disapprove 25 of a photo of Axl Rose? Page 52	1 A. Me personally, no. 2 Q. Have you ever been informed that she's 3 approved or disapproved a photograph of Axl Rose? 4 A. Yes. 5 Q. Who informed you? 6 A. At which time? 7 Q. When was the last time you were informed? 8 A. During our last – today. 9 Q. Who informed you today? 10 A. Part of our team. 11 Q. Who within the team? 12 A. Our publicist. 13 Q. Who's your publicist? 14 A. Presently? 15 Q. Yes. 16 A. Carleen Donovan. 17 Q. And Carleen Donovan informed you today that 18 Vanessa Lebeis had approved a photo of Axl Rose? 19 A. That has approved photos to be used. 20 Q. She told you that today? 21 A. Yes. 22 Q. Is Alex Santos related to you? 23 A. Yes. 24 Q. What is that relationship? 25 A. My brother. Page 53

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Page 54 1 Q. How old is he? 2 A. 49. 3 Q. Are you guys close? 4 MR. GUTMAN: Objection as to form. Vague and 5 ambiguous. 6 THE WITNESS: We're very close. 7 BY MR. ROSENBLATT: 8 Q. What's Alex Santos's role with Team Brazil 9 Management, Inc.? 10 MR. GUTMAN: Objection. Foundation. 11 THE WITNESS: CFO. 12 MR. GUTMAN: Let the record reflect the witness was 13 referring to Exhibit 201. 14 BY MR. ROSENBLATT: 15 Q. What's Alex Santos's role with any Gundam 16 entity? 17 A. I don't know. 18 MR. GUTMAN: Objection. Foundation. 19 THE WITNESS: I don't know. 20 BY MR. ROSENBLATT: 21 Q. Have you ever been informed that he's an 22 accountant for Gundam? 23 A. For Gundam? No. 24 Q. Never been informed? 25 A. No.	Page 55 1 MR. GUTMAN: Objection. Asked and answered. 2 Argumentative. 3 BY MR. ROSENBLATT: 4 Q. You've never heard that at any time? 5 A. Yes. 6 Q. When did you hear it last? 7 A. Yesterday. 8 Q. Where? At the deposition? 9 A. (Inaudible.) 10 MR. ROSENBLATT: Let the record reflect that 11 Mr. Lebeis was present at the deposition of Axl Rose 12 yesterday. 13 THE WITNESS: Yes, I stated my name yesterday 14 there. 15 MR. ROSENBLATT: Okay. 16 MR. GUTMAN: Unlike Mr. Acheson, who was reluctant 17 to identify on the record. 18 BY MR. ROSENBLATT: 19 Q. Do all four of you – Beta, Vanessa, Alex – 20 work together on Guns N' Roses matters? 21 A. No. 22 Q. Do you work separately? 23 MR. GUTMAN: Objection. Foundation and form. 24 THE WITNESS: Given my other answer was a no, so 25 yes, we work separately.
Page 56 1 BY MR. ROSENBLATT: 2 Q. In what separate aspects? How do you guys 3 work separately? 4 MR. GUTMAN: Objection. The question is compound, 5 vague, ambiguous, and unintelligible. 6 MR. ROSENBLATT: Let me strike it. 7 Q. How do you work separately? 8 MR. GUTMAN: You can't strike it, Counsel. The 9 same question is – objection to form. Vague, 10 ambiguous, and unintelligible. 11 THE WITNESS: Beta and Vanessa work directly with 12 Axl. 13 BY MR. ROSENBLATT: 14 Q. Okay. And Alex and you? 15 A. Alex works for our business manager. 16 Q. What's his name? 17 A. The business manager? 18 Q. Mm-hmm. 19 A. Bernie Gilhuly. 20 Q. And how do you work separately? 21 A. You want me to say it again? 22 Q. Yeah, so the original question was do all four 23 of you – Elizabeth, Vanessa, and Alex – work together 24 on Guns N' Roses, and you said no. So I said how do you 25 work separately. And I'm asking how you –	Page 57 1 A. I oversee Guns N' – 2 MR. GUTMAN: Hold on one second. 3 THE WITNESS: Sorry. 4 MR. GUTMAN: I've got to object to comments which 5 purport to misstate the record. 6 Record speaks for itself. 7 You can answer the pending question if you 8 can. 9 THE WITNESS: I oversee Guns N' Roses. 10 BY MR. ROSENBLATT: 11 Q. Do you work directly with Axl? 12 A. At times. 13 Q. Do you work directly with Duff? 14 A. Mostly through his representative. 15 Q. Do you work directly with Slash? 16 A. Mostly through his representative. 17 Q. Would it be fair to say that Team Brazil, 18 Inc., is a family business? 19 MR. GUTMAN: Objection. Argumentative. Vague, 20 ambiguous, unintelligible. 21 THE WITNESS: I don't know how to answer that. 22 BY MR. ROSENBLATT: 23 Q. Have you ever referred to Team Brazil as 24 family or a family business? 25 A. We're a family. I think – yeah, I think I

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Page 58 1 refer to it as like we're a family through it all. 2 Q. Is there anyone on the Secretary of State 3 that's not part of your nuclear family? 4 MR. GUTMAN: Are you talking about Exhibit 201, 5 Counsel? You're asking him to look and see if there are 6 any names of people who are not members of his family. 7 So study the document, and you can answer the 8 question. He's just asking you to make a determination 9 based upon your review of this document. 10 THE WITNESS: The officers, additional officers, 11 and directors is all my family members. 12 BY MR. ROSENBLATT: 13 Q. Do you report to anyone in your role as 14 manager of Guns N' Roses? 15 A. I'm part of a team. 16 MR. ROSENBLATT: Will you repeat the pending 17 question. 18 (Last question read.) 19 THE WITNESS: Depending which matter. 20 BY MR. ROSENBLATT: 21 Q. Okay. So give me an exam -- please give me 22 an example of a matter that you report to someone in 23 your role as manager of Guns N' Roses? 24 MR. GUTMAN: Objection to question as to form, 25 overbroad, incomplete hypothetical.	Page 59 1 Go ahead. 2 THE WITNESS: I don't understand the question. 3 BY MR. ROSENBLATT: 4 Q. Have you ever reported to anyone in your role 5 as manager of Guns N' Roses? 6 A. Have I ever? Yes. 7 Q. Who? 8 A. Axl. 9 Q. When? 10 A. When did I report to Axl on a Guns N' Roses 11 related matter? 12 Q. Yes. 13 A. Is the deposition a Guns N' Roses related 14 matter? I'm asking because then yesterday, when I 15 talked to Axl about the deposition. 16 Q. What did he say to you yesterday? 17 MR. GUTMAN: Objection. I instruct you not to 18 respond if counsel were present. 19 THE WITNESS: Counsel was present. 20 BY MR. ROSENBLATT: 21 Q. Does Axl Rose have the authority to overrule 22 your decisions? 23 A. Yes. 24 Q. Does Slash have the authority to overrule your 25 decisions?
Page 60 1 A. Yes. 2 MR. GUTMAN: Objection -- 3 THE WITNESS: Oh, sorry. 4 MR. GUTMAN: Let me just interpose the objection. 5 Foundation and incomplete hypothetical. 6 THE WITNESS: Yes. 7 BY MR. ROSENBLATT: 8 Q. Does Duff have the authority to overrule your 9 decisions? 10 MR. GUTMAN: Objection. Foundation. Incomplete 11 hypothetical. 12 THE WITNESS: Yes. 13 BY MR. ROSENBLATT: 14 Q. Does Beta Lebeis have the authority to 15 overrule your decisions? 16 MR. GUTMAN: Objection. Foundation. Incomplete 17 hypothetical. 18 THE WITNESS: Yes. 19 BY MR. ROSENBLATT: 20 Q. Does Vanessa Santos have the authority to 21 overrule your decisions? 22 MR. GUTMAN: Objection. Foundation. Incomplete 23 hypothetical. 24 THE WITNESS: Yes. 25 ///	Page 61 1 BY MR. ROSENBLATT: 2 Q. Does Alex Santos have the authority to 3 overrule your decisions? 4 MR. GUTMAN: Objection. Foundation. Incomplete 5 hypothetical. 6 THE WITNESS: On what matters? 7 MR. ROSENBLATT: Any matter. 8 MR. GUTMAN: Objection. Foundation. Incomplete 9 hypothetical. 10 THE WITNESS: On any matter what? 11 MR. ROSENBLATT: We'll move on. 12 MR. GUTMAN: Was your statement "move on"? 13 MR. ROSENBLATT: I said we're gonna move on to the 14 next question. 15 MR. GUTMAN: No, you said "move on" as if you were 16 telling the witness to move on, but that was just your 17 comment to yourself that we're going to move on, by 18 saying "move on"? 19 BY MR. ROSENBLATT: 20 Q. Next question is, does Axl Rose have the final 21 say on business decisions for Guns N' Roses? 22 MR. GUTMAN: Objection. Foundation. Incomplete 23 hypothetical. 24 THE WITNESS: I don't know how to answer that. 25 ///

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Page 62 1 BY MR. ROSENBLATT: 2 Q. What's confusing? I can clarify. 3 MR. GUTMAN: That's an inappropriate question, 4 Counsel. He doesn't know how to answer it because your 5 questions aren't clear. Ask another question. 6 BY MR. ROSENBLATT: 7 Q. Have you ever perceived Axl Rose having the 8 final say on any business decision for Guns N' Roses? 9 A. I don't know how to answer that. 10 Q. Why? 11 MR. GUTMAN: It's argumentative. 12 If you don't understand his question, just 13 state you don't understand it. 14 THE WITNESS: I don't understand your question. 15 BY MR. ROSENBLATT: 16 Q. Okay. Does Axl Rose report to anyone 17 regarding business decisions for Guns N' Roses? 18 MR. GUTMAN: Objection as to form. Foundation. 19 BY MR. ROSENBLATT: 20 Q. In what type of business? 21 A. Decisions for Guns N' Roses. 22 MR. GUTMAN: Objection. Form. Foundation. The 23 question is completely unintelligible at this point. 24 THE WITNESS: I don't understand the question. 25 ///	Page 63 1 BY MR. ROSENBLATT: 2 Q. Do you have the authority to overrule Axl Rose 3 on business decisions – 4 A. No. 5 Q. – for Guns N' Roses? 6 MR. GUTMAN: Objection as to form. And foundation. 7 You can answer. 8 THE WITNESS: No. 9 BY MR. ROSENBLATT: 10 Q. Does Beta Lebeis have the power to overrule 11 Axl Rose on business decisions for Guns N' Roses? 12 MR. GUTMAN: Objection. Form. Foundation. 13 Incomplete hypothetical. 14 THE WITNESS: No. 15 BY MR. ROSENBLATT: 16 Q. Does Slash? 17 MR. GUTMAN: Is there a complete question coming? 18 BY MR. ROSENBLATT: 19 Q. Have the authority to overrule business 20 decisions for Axl Rose? 21 MR. GUTMAN: Objection as to form. Foundation. 22 Incomplete hypothetical. 23 THE WITNESS: Can you ask it again? 24 BY MR. ROSENBLATT: 25 Q. Sure. Does Slash have the authority to
Page 64 1 overrule Axl Rose on business decisions for Guns N' 2 Roses? 3 MR. GUTMAN: Objection as to form. Foundation. 4 And an incomplete hypothetical. 5 THE WITNESS: I don't know how to answer that 6 question. 7 BY MR. ROSENBLATT: 8 Q. Okay. What is Axl Rose's – I'm saying 9 "Mr. Rose" or "Axl." I mean no respect, okay? 10 What is Axl Rose's role with Gundam Touring 11 Services, LLC? 12 A. I don't know. 13 MR. GUTMAN: Objection. Foundation. 14 THE WITNESS: Sorry. 15 I don't know. 16 BY MR. ROSENBLATT: 17 Q. What is Axl Rose's role with Gundam 18 Productions, LLC? 19 MR. GUTMAN: Objection. Foundation. 20 THE WITNESS: I don't know. 21 BY MR. ROSENBLATT: 22 Q. What is Axl Rose's role with Waterhead 23 International, Inc.? 24 MR. GUTMAN: Objection. Foundation. 25 THE WITNESS: I don't know.	Page 65 1 BY MR. ROSENBLATT: 2 Q. What is Axl Rose's role with Black Frog 3 Entities? 4 MR. GUTMAN: Objection. Foundation. 5 THE WITNESS: I don't know. 6 BY MR. ROSENBLATT: 7 Q. Have you ever heard of the company Black Frog 8 Entities? 9 A. Yes. 10 Q. When did you first hear of the company Black 11 Frog Entities? 12 A. I don't recall. 13 Q. Do you know if Axl Rose is affiliated with the 14 company Black Frog Entities? 15 MR. GUTMAN: Objection. Form as to "affiliated." 16 THE WITNESS: I can assume so. 17 BY MR. ROSENBLATT: 18 Q. Is Axl Rose affiliated with Gundam Touring 19 Services, LLC? 20 MR. GUTMAN: Objection. Form. 21 THE WITNESS: I believe so. 22 BY MR. ROSENBLATT: 23 Q. Is Axl Rose affiliated with Gundam 24 Productions, LLC? 25 MR. GUTMAN: Objection. Form.

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Page 66 1 THE WITNESS: I believe so. 2 BY MR. ROSENBLATT: 3 Q. Do all these entities – Gundam Touring 4 Services, Gundam Productions, Waterhead, Black Frog, and 5 Guns N' Roses – share office space? 6 MR. GUTMAN: Objection. Foundation. Compound. 7 THE WITNESS: I don't know what you mean, "share 8 office space." 9 BY MR. ROSENBLATT: 10 Q. Are you familiar with an office space in 11 Woodland Hills? 12 A. As it relates to Guns N' Roses? 13 Q. Yes. 14 A. Yes. 15 Q. Does Bernard Gilhuly work at that office 16 space? 17 A. He has an office in Woodland Hills. 18 Q. Does Alex Santos have an office in Woodland 19 Hills? 20 A. He works for Bernard, Bernie. 21 Q. And does Gundam Touring have an office in 22 Woodland Hills? 23 A. I don't know. 24 Q. Does Gundam Productions have an office in 25 Woodland Hills?	Page 67 1 A. I don't know. 2 Q. Does Waterhead International have an office in 3 Woodland Hills? 4 A. I don't know. 5 Q. Does Black Frog Entities have an office in 6 Woodland Hills? 7 A. I don't know. 8 Q. Do all of these entities share the same 9 telephone numbers? 10 MR. GUTMAN: Objection. Foundation. 11 THE WITNESS: I don't know. 12 BY MR. ROSENBLATT: 13 Q. Do all of these entities share the same e-mail 14 systems? 15 A. I don't know. 16 Q. Do all of these entities share the same 17 administrative staff? 18 A. I don't know. 19 Q. Are you aware whether these entities maintain 20 separate bank accounts? 21 A. I don't know. 22 Q. Are you aware whether these entities maintain 23 separate books and records? 24 A. I don't know. 25 Q. Would Alex Santos know?
Page 68 1 MR. GUTMAN: Objection. Foundation. Speculation. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Would Bernard Gilhuly know? 5 MR. GUTMAN: It's not a complete question. 6 Objection. Foundation, form, and speculation. 7 Incomplete hypothetical. 8 THE WITNESS: I can assume so. 9 BY MR. ROSENBLATT: 10 Q. Who else may know? 11 MR. GUTMAN: Objection. Foundation. Speculation. 12 And not a complete question. 13 BY MR. ROSENBLATT: 14 Q. Who else may know whether these entities, 15 referring to Gundam Touring Services; Gundam 16 Productions, LLC; Waterhead International; and Black 17 Frog Entities, maintain separate books and records? 18 MR. GUTMAN: Objection. Foundation. Speculation. 19 And compound. 20 THE WITNESS: What was the first part of the 21 question? 22 BY MR. ROSENBLATT: 23 Q. Who may know? 24 A. I don't know. 25 Q. Okay. But Bernard Gilly [sic] may?	Page 69 1 A. Bernie. We can call him Bernie. 2 Q. We'll call him Bernie for the purposes of – 3 A. The last name is... 4 Q. Is tough. 5 A. Yeah. 6 Q. Okay. In your day-to-day work, do you 7 distinguish between working for Team Brazil versus 8 working for Guns N' Roses? 9 A. No. 10 Q. When you communicate with contractors like 11 Ms. Benzova, did you specify which entity you were 12 representing? 13 A. No. 14 MR. ROSENBLATT: Can we go off the record and go 15 take our first break? I need to go to the restroom. 16 THE VIDEOGRAPHER: Sure. Going off record. The 17 time is 11:07 a.m. Pacific time. 18 (Recess.) 19 THE VIDEOGRAPHER: We are back on the record. The 20 time is 11:22 a.m. Pacific time. 21 MR. GUTMAN: Before you start asking your 22 questions, I want to note on the record that Counsel was 23 communicating with my client outside my presence. I 24 instructed him never to communicate with my client again 25 outside the deposition.

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Page 70 1 MR. ROSENBLATT: And for the record, the 2 communication was only about the temperature of the 3 room. It had nothing to do with any matter whatsoever 4 to do with the case. It was a polite gesture to see if 5 he wanted the room warmer. 6 MR. GUTMAN: Totally irrelevant. He shouldn't have 7 any communications with my client outside the 8 deposition. 9 MR. ROSENBLATT: Noted. 10 MR. GUTMAN: Please proceed. 11 MR. ROSENBLATT: Thank you. 12 Mark for the record 202. 13 (Defendant's Exhibit 202 was marked.) 14 BY MR. ROSENBLATT: 15 Q. Are you aware of the entity Black Frog 16 Entities? 17 MR. GUTMAN: Objection. Asked and answered. 18 THE WITNESS: Yes. 19 BY MR. ROSENBLATT: 20 Q. Have you ever lived at 505 [sic] Latigo Canyon 21 Road, Malibu, CA 90265? 22 A. No. 23 Q. Do you know who lives at 5505 Latigo Canyon 24 Road, Malibu, CA 90265? 25 A. No.	Page 71 1 Q. Have you ever been to 5950 Canoga Avenue, 2 Suite 510, Woodland Hills, California 91367? 3 A. Yes. 4 Q. When? 5 MR. GUTMAN: When has he been? Is that the 6 question? 7 BY MR. ROSENBLATT: 8 Q. Yes, when have you? 9 MR. GUTMAN: "When" is not a complete question, 10 Counsel. 11 BY MR. ROSENBLATT: 12 Q. When was the last time you were located at 13 5950 Canoga Avenue, Suite 510, Woodland Hills? 14 MR. GUTMAN: "Located"? Is that the question? 15 Can I have the question read back. 16 (Last question read.) 17 MR. GUTMAN: Objection to form. Misstates the 18 testimony. 19 THE WITNESS: Can you restate the question. 20 MR. ROSENBLATT: For the record, I believe – will 21 you repeat – 22 MR. GUTMAN: He didn't ask you to repeat it. He 23 said restate it. 24 THE WITNESS: I don't understand "located." 25 ///
Page 72 1 BY MR. ROSENBLATT: 2 Q. Have you ever been present at the location 3 5950 Canoga Avenue? Have you ever been there? 4 A. Yes. Yes. 5 Q. Have you ever been to 505 [sic] Latigo Canyon 6 Road, Malibu, California? 7 MR. GUTMAN: Asked and answered. 8 MR. ROSENBLATT: No, I didn't. This is a different 9 question. 10 THE WITNESS: Repeat the address. 11 BY MR. ROSENBLATT: 12 Q. Have you ever been to 505 [sic] Latigo Canyon 13 Road, Malibu, California? 14 A. No. 15 (Interruption in the proceeding.) 16 BY MR. ROSENBLATT: 17 Q. Were you aware that Beta Lebeis is the officer 18 of Black Frog Entities? 19 A. No. 20 Q. Were you aware that Axl Rose is the chief 21 executive officer and chief financial officer of Black 22 Frog Entities? 23 A. No. 24 Q. Were you aware that Black Frog Entities's 25 mailing address is 5950 Canoga Avenue, Suite 510?	Page 73 1 A. No. 2 Q. Did you know that the agent for Black Frog 3 Entities is Bernie, Bernard Gilhuly? 4 A. No. 5 Q. Are you or have you ever been the CEO of 6 Lebeis Publishing, Inc.? 7 A. Yes. 8 Q. When did you become the CEO of Lebeis 9 Publishing, Inc.? 10 A. I don't remember the date. 11 Q. Can you approximate? 12 A. No, I can't. I can't. 13 Q. Was it over ten years ago? 14 A. I honestly don't remember, but if you have a 15 piece of paper that shows me when the – 16 MR. GUTMAN: You completed your answer. 17 THE WITNESS: Okay. I don't remember. 18 MR. ROSENBLATT: We'll come back. 19 THE WITNESS: Okay. 20 BY MR. ROSENBLATT: 21 Q. What does Lebeis Publishing, Inc., do? 22 A. It was a company I made for a kids' book we 23 released. 24 Q. So does Lebeis, Inc., publish – it publishes 25 books? Lebeis Publishing –

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Page 74 1 A. It published one – 2 Q. Hold on, I'm sorry. 3 A. Sorry. 4 Q. Does Lebeis Publishing, Inc., publish books? 5 A. Books plural, no. One book. 6 Q. What type of book? 7 A. Children's book. 8 Q. And has Lebeis Publishing, Inc., published any 9 book related to Guns N' Roses? 10 A. Yes. 11 Q. How so? 12 MR. GUTMAN: It's not a complete question. Can you 13 ask a complete question so we have it on the record. 14 BY MR. ROSENBLATT: 15 Q. How is the book that was published related to 16 Guns N' Roses? 17 A. We used the lyrics of Sweet Child O' Mine. 18 Q. Did you obtain licenses for those lyrics? 19 A. Yes. 20 Q. Did you personally negotiate those licenses? 21 A. No. 22 Q. Who did? 23 MR. GUTMAN: Objection. Would you please state the 24 complete questions instead of the shorthand like we're 25 having a conversation on the street?	Page 75 1 BY MR. ROSENBLATT: 2 Q. Who negotiated the license for the lyrics of 3 Sweet Child O' Mine? 4 A. The partnership. Guns N' Roses partnership. 5 Q. Amongst themselves or Lebeis – 6 Who from Lebeis publishing negotiated? 7 A. Myself from Lebeis Publishing, Fernando. 8 Q. So just for clarity, did you personally 9 negotiate the licenses? 10 A. I put a request for a license. 11 Q. Was that request in writing? 12 A. Yes. 13 Q. Was there a signature that authorized you to 14 use the lyrics? 15 MR. GUTMAN: "Was there a signature?" Is that the 16 question? Objection. Form. Unintelligible. 17 BY MR. ROSENBLATT: 18 Q. Did someone sign a document that authorized 19 Lebeis Publishing, Inc., to use the lyrics to Sweet 20 Child O' Mine? 21 A. No. 22 Q. What type of writing was used? 23 A. E-mail. Sorry. I don't know. 24 MR. GUTMAN: Objection. Form. Foundation. 25 Can you please try and use complete questions,
Page 76 1 because this shorthand, it's not gonna translate on the 2 record. 3 BY MR. ROSENBLATT: 4 Q. So you asked the band via e-mail whether you 5 could use the lyrics to Sweet Child O' Mine for your 6 children's book? 7 MR. GUTMAN: Objection. Form. And misstates the 8 testimony. 9 THE WITNESS: I put in a request to use the lyrics 10 of Sweet Child O' Mine for a children's book. 11 BY MR. ROSENBLATT: 12 Q. And who in particular authorized and granted 13 the request? 14 A. The band. 15 Q. Every member of the band? 16 MR. GUTMAN: Objection as to form. Vague, 17 ambiguous as to what "every member of the band" means. 18 THE WITNESS: The – I don't know how to respond. 19 The people – well, the members who control the 20 ownership of the lyrics. 21 BY MR. ROSENBLATT: 22 Q. Did Axl grant the request? 23 A. Personally? 24 Q. Yes. 25 A. I would assume so. We used the lyrics.	Page 77 1 Q. Did Slash grant the request? 2 A. I would assume so. 3 Q. Did they respond in writing, saying, "Yes, you 4 can use the lyrics to Sweet Child O' Mine"? 5 MR. GUTMAN: Who's "they"? 6 BY MR. ROSENBLATT: 7 Q. Axl – Axl Rose, Slash, and/or Duff McKagan? 8 A. Personally to me? 9 Q. Yes. 10 A. No. 11 Q. So how did you know that your request was 12 granted? 13 A. I put in a request to use the rights of the 14 lyrics for a children's book. 15 Q. Via e-mail? 16 A. Yes. 17 Q. And then how was the request granted? 18 A. The company which receives the request then 19 circulates the request, comes back to me, and says 20 approved or denied. 21 Q. How did it come back to you? Did it come back 22 via e-mail? 23 A. It came back via e-mail. 24 Q. Do you understand what a copyright is? 25 MR. GUTMAN: Objection. Foundation. Incomplete

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Page 78 1 hypothetical. 2 THE WITNESS: Not in a way that I can legally fully 3 understand. 4 BY MR. ROSENBLATT: 5 Q. So you don't fully – 6 Do you fully understand what a copyright is? 7 MR. GUTMAN: Objection. Argumentative. Form. 8 Foundation. 9 THE WITNESS: No. 10 BY MR. ROSENBLATT: 11 Q. Do you understand what copyright ownership 12 means? 13 MR. GUTMAN: Same objections. Foundation. Form. 14 THE WITNESS: No. 15 BY MR. ROSENBLATT: 16 Q. Do you understand the difference between 17 owning a copyright and licensing a copyright? 18 MR. GUTMAN: Objection. Foundation. Form. 19 THE WITNESS: No. 20 BY MR. ROSENBLATT: 21 Q. In your role as CEO of Lebeis Publishing, have 22 you ever had to obtain permission to use copyrighted 23 material? 24 MR. GUTMAN: Other than what he just previously 25 testified to about the request to use the lyrics from	Page 79 1 Sweet Child O' Mine? You're asking in addition to what 2 he just testified to? 3 THE WITNESS: Can you restate the question. 4 BY MR. ROSENBLATT: 5 Q. Have you ever – in your role as CEO of Lebeis 6 publishing, have you ever had to obtain permission to 7 use copyrighted material? 8 MR. GUTMAN: And do you want him to just state what 9 he just stated about the one lyric, or you're asking did 10 he ever obtain – 11 THE WITNESS: Is this as it relates to Sweet Child 12 O' Mine lyrics? 13 MR. ROSENBLATT: Yes. 14 THE WITNESS: Yes. 15 BY MR. ROSENBLATT: 16 Q. Anything else? 17 A. No. 18 Q. Do you understand what a work for hire is 19 under copyright law? 20 A. No. 21 MR. GUTMAN: Objection. Foundation. Form. 22 THE WITNESS: No. 23 BY MR. ROSENBLATT: 24 Q. Do you understand the requirements for 25 something to be a work made for hire?
Page 80 1 MR. GUTMAN: Objection. Foundation. Form. 2 THE WITNESS: No. 3 BY MR. ROSENBLATT: 4 Q. Have you ever consulted with attorneys about 5 copyright issues? 6 MR. GUTMAN: You can answer that yes or no. 7 THE WITNESS: Repeat it. 8 BY MR. ROSENBLATT: 9 Q. Have you ever consulted with attorneys about 10 copyright issues? 11 A. Yes. 12 Q. Approximately how many times? 13 A. Unknown. One to a thousand. 14 Q. Between one and a thousand? 15 A. Yeah. I don't know how to answer that 16 question. 17 Q. Many times? 18 A. Many times. Sorry, I don't know if that... 19 Q. So potentially, you could have consulted 20 attorneys a thousand times about copyright issues? 21 A. Consulted in a way of talk to an attorney 22 about it on a specific matter? 23 Q. Yes. 24 A. Okay, yes. 25 Q. Have you ever been involved in any copyright	Page 81 1 litigation? 2 MR. GUTMAN: Objection as to form. 3 You can answer. 4 THE WITNESS: I don't know. Yeah, I don't know – 5 I don't know how – I don't know, honestly. 6 BY MR. ROSENBLATT: 7 Q. Other than this present case – 8 A. Yeah. 9 Q. – have you ever been involved in any 10 copyright litigation? 11 MR. GUTMAN: Objection as to form. 12 THE WITNESS: Me personally? 13 MR. ROSENBLATT: Yes. 14 THE WITNESS: No. 15 BY MR. ROSENBLATT: 16 Q. What about as your role through Guns N' Roses? 17 MR. GUTMAN: Objection as to form. 18 THE WITNESS: I don't know. 19 BY MR. ROSENBLATT: 20 Q. Have you ever been involved in any trademark 21 litigation? 22 MR. GUTMAN: Objection as to form. 23 THE WITNESS: I don't know. 24 BY MR. ROSENBLATT: 25 Q. "I don't know" because it never happened, or

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Page 82 1 "I don't know because I don't recall?" 2 MR. GUTMAN: Objection. Argumentative. Also false 3 dichotomy. 4 THE WITNESS: There was a case years ago, but I 5 don't know if it falls under... 6 BY MR. ROSENBLATT: 7 Q. What was the case that you're thinking of? 8 A. Video production content for tour, for live 9 performances. 10 Q. What year was that? 11 A. Don't know. 12 Q. Was it before 2016? 13 A. Yes. Yes. Yes. 14 Q. Was it before 2011? 15 A. I don't know. Honestly, I don't know. 16 Q. Do you remember the parties to the case? 17 A. No. 18 Q. Do you remember the state that it took place 19 in? 20 A. California. 21 Q. Do you remember what your job was at the time? 22 Were you – 23 A. I don't know when it was. 24 Sorry, didn't mean to cut you off. 25 Q. No problem.	Page 83 1 A. I don't know what year it was. 2 Q. It was – okay, we'll find out. 3 (Interruption in the proceeding.) 4 BY MR. ROSENBLATT: 5 Q. Are you aware that Guns N' Roses was involved 6 in a litigation called Weber v. Geffen Records? 7 A. No. 8 Q. Are you aware that photographs are protected 9 by copyright law? 10 A. No. 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: No. 13 BY MR. ROSENBLATT: 14 Q. You're unaware that photographs are protected 15 by copyright law? 16 MR. GUTMAN: Objection. Argumentative. Asked and 17 answered. 18 THE REPORTER: I'm sorry, was there an answer? 19 THE WITNESS: No. The same. 20 BY MR. ROSENBLATT: 21 Q. Are you now aware that photographs are 22 protected by copyright? 23 MR. GUTMAN: Objection. Foundation. 24 THE WITNESS: Yes. 25 ///
Page 84 1 BY MR. ROSENBLATT: 2 Q. When did you find out? 3 A. Well – okay, wait. Photographs are protected 4 by copyright, as in copyright as in ownership? I'm 5 trying. Re-ask. 6 Q. Okay. Do you understand that the photographer 7 generally owns the copyright in photographs they take? 8 MR. GUTMAN: Objection. Foundation. 9 And to the extent that you have any present 10 understanding based upon privileged communications with 11 counsel, I'll instruct you not to respond. 12 THE WITNESS: Then it was based on my conversation 13 with counsel. So I don't respond. 14 BY MR. ROSENBLATT: 15 Q. Okay. Do you understand that copyright 16 ownership can be transferred? 17 MR. GUTMAN: Objection. Foundation. 18 And again, if any information is based upon 19 communications with counsel, instruct you not to 20 respond. 21 THE WITNESS: Communication through counsel. So I 22 don't respond? 23 MR. ROSENBLATT: That doesn't ask for any 24 communications with counsel. It just says "do you 25 understand." It's a yes-or-no question.	Page 85 1 MR. GUTMAN: If the understanding is based upon 2 communications with counsel. 3 BY MR. ROSENBLATT: 4 Q. Do you understand that copyright ownership can 5 be transferred? 6 MR. GUTMAN: If your understanding is based on your 7 communications with counsel, I instruct you to answer – 8 instruct you not to answer, pardon me. 9 THE WITNESS: I don't even know how to answer. I 10 guess my communication through counsel. 11 BY MR. ROSENBLATT: 12 Q. Do you understand that a written agreement is 13 required to transfer copyright ownership? 14 MR. GUTMAN: Objection. Foundation. 15 And if you had such an understanding that was 16 based upon communication with counsel, I would instruct 17 you not to answer. 18 THE WITNESS: Through counsel. Communication 19 through counsel. 20 BY MR. ROSENBLATT: 21 Q. You're not gonna answer? 22 A. I'm not gonna answer that. 23 Q. In your work with Lebeis Publishing, have you 24 ever signed written agreements to acquire rights to 25 copyrighted works?

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Page 86 1 A. I would assume so. I don't recall. 2 Q. Why did you use written agreements? 3 MR. GUTMAN: Assumes a fact. Foundation. 4 Relevance. 5 Go ahead. 6 THE WITNESS: I requested the usage, and they 7 approved it. So I don't remember if I signed the deal 8 with them to use it. They just gave me the approval. 9 BY MR. ROSENBLATT: 10 Q. Do you understand what "photo credit" means? 11 A. Yes. 12 MR. GUTMAN: Objection. Vague. 13 BY MR. ROSENBLATT: 14 Q. Do you understand why photographers want photo 15 credit? 16 MR. GUTMAN: Objection. Foundation. Speculation. 17 THE WITNESS: Can you re-ask the question. 18 BY MR. ROSENBLATT: 19 Q. Do you understand why photographers want photo 20 credit? 21 MR. GUTMAN: Objection. Foundation. 22 THE WITNESS: I understand why. 23 BY MR. ROSENBLATT: 24 Q. Why do you think? 25 MR. GUTMAN: Objection. Foundation.	Page 87 1 THE WITNESS: They took the photo. 2 BY MR. ROSENBLATT: 3 Q. Right. So they want the world to know that 4 they took the photo? 5 MR. GUTMAN: Objection. Argumentative. 6 Foundation. 7 THE WITNESS: I can't speak for them. 8 BY MR. ROSENBLATT: 9 Q. In the book published by Lebeis Publishing, 10 did you provide credit to Guns N' Roses? 11 A. We abided by whatever was instructed to us to 12 do. If it's credited to Guns N' Roses, it was lawyer to 13 lawyer. 14 Q. Who instructed you? 15 A. I don't recall. However, once a license is 16 approved, there are steps in which – needs to be taken, 17 such as giving credit to, say, Guns N' Roses as it 18 relates to Sweet Child O' Mine. But I can't tell you 19 how it came from Party A to Party B. Party A being Guns 20 N' Roses, to Party B being the publisher of the book. 21 Q. What's the name of the book? 22 A. Sweet Child O' Mine. 23 Q. Were there illustrations in the book? 24 A. Yes. 25 Q. Who illustrated the book?
Page 88 1 A. I don't recall the artist. 2 Q. How did you obtain the illustrations for the 3 book? 4 A. Worked with the artist. 5 Q. Did you sign a written agreement with the 6 artist? 7 A. I chose the artist based from a list, and then 8 we started working together. 9 Q. How did you come up with that list? 10 A. The publisher of the book. 11 Q. Who was the publisher of the book? 12 A. I don't remember the name. It's on the book. 13 Q. So on the book, is there any copyright 14 ownership attributed to Guns N' Roses? 15 A. I would assume so. 16 MR. GUTMAN: Don't assume anything. If – 17 THE WITNESS: Okay. 18 MR. GUTMAN: – you know – 19 THE WITNESS: I don't know. 20 MR. GUTMAN: – or else you don't know. 21 BY MR. ROSENBLATT: 22 Q. Is there any copyright ownership attributed to 23 the artist that did the illustrations? 24 A. I don't know. 25 Q. Do you know the name of the artist that did	Page 89 1 the illustrations? 2 A. No. 3 Q. Did you approve of the illustrations that went 4 into the book? 5 A. Yes. 6 Q. What was that approval process like? 7 A. She would present a sequence, and I would say 8 go this way versus that way. If it's daytime, make it 9 nighttime, if it's raining, make it sunny. And we got 10 to the point of completing the book. 11 Q. What about her artistry made you choose her as 12 the artist for the book? 13 A. Her previous works. I liked the way she 14 presented the characters. 15 Q. Had she illustrated other children's books? 16 A. Yes. 17 Q. Do you understand what "sublicensing" means? 18 A. No. 19 MR. GUTMAN: Objection. Foundation. Form. 20 BY MR. ROSENBLATT: 21 Q. Do you understand that you need permission 22 from a copyright owner to sublicense their work? 23 MR. GUTMAN: Objection. Form. Foundation. 24 Assumes a fact. 25 THE WITNESS: No.

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Page 90 1 BY MR. ROSENBLATT: 2 Q. Have you ever granted sublicenses for 3 copyrighted material? 4 MR. GUTMAN: Objection. Foundation. Form. 5 THE WITNESS: I don't know. 6 BY MR. ROSENBLATT: 7 Q. "I don't know," but possibly? 8 MR. GUTMAN: Objection. Anything's possible, 9 Counsel. Speculation. 10 MR. ROSENBLATT: Anything is not possible. 11 MR. GUTMAN: I'm not going to argue. Just, is 12 there a question? 13 MR. ROSENBLATT: Yes. 14 Q. Have you ever granted sublicenses for 15 copyrighted material? 16 MR. GUTMAN: It's asked and answered. 17 THE WITNESS: I don't know. 18 BY MR. ROSENBLATT: 19 Q. Is it possible that you have granted 20 sublicenses for copyrighted materials? 21 MR. GUTMAN: Anything's possible, Counsel. 22 Foundation. Speculation. 23 THE WITNESS: I don't understand the question. So 24 I don't know. 25 ///	Page 91 1 BY MR. ROSENBLATT: 2 Q. Could you have inadvertently granted 3 sublicenses for copyrighted material? 4 MR. GUTMAN: Objection. Foundation. Speculation. 5 Argumentative. Harassing. 6 THE WITNESS: I don't know. Don't understand the 7 question. 8 BY MR. ROSENBLATT: 9 Q. Are you familiar with the term "intellectual 10 property"? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: Yes. 13 BY MR. ROSENBLATT: 14 Q. What do you think "intellectual property" 15 means? 16 MR. GUTMAN: Objection. Foundation. 17 Why don't you tell us what it means? He's not 18 here as an expert. 19 THE WITNESS: There's no way for me to define in a 20 legal way. 21 BY MR. ROSENBLATT: 22 Q. Do you think trademarks are intellectual 23 property? 24 MR. GUTMAN: Objection. Foundation. 25 This isn't a quiz on intellectual property
Page 92 1 law. Ask a proper question. 2 THE WITNESS: Can you restate the question. 3 BY MR. ROSENBLATT: 4 Q. Do you think trademarks are intellectual 5 property? 6 MR. GUTMAN: Objection. Foundation. Speculation. 7 Harassing. 8 THE WITNESS: I don't understand the question. 9 BY MR. ROSENBLATT: 10 Q. Have you ever heard of what a patent is? Do 11 you know what a patent is? 12 MR. GUTMAN: Objection. Relevance. And harassing. 13 Foundation. 14 THE WITNESS: Yes. 15 BY MR. ROSENBLATT: 16 Q. Do you think patents are intellectual 17 property? 18 MR. GUTMAN: Objection. Foundation. Harassing. 19 THE WITNESS: I don't know. 20 BY MR. ROSENBLATT: 21 Q. Okay. One last one, not to harass you. 22 A. Okay. 23 Q. Just to kind of go through them. 24 Do you think – do you understand that 25 copyrights are intellectual property?	Page 93 1 MR. GUTMAN: Objection. Foundation. Harassing. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Do you consider yourself knowledgeable about 5 intellectual property issues? 6 MR. GUTMAN: Objection. Foundation. Form. 7 THE WITNESS: No. 8 BY MR. ROSENBLATT: 9 Q. When did you first meet Katarina Benzova? 10 A. Early. Two thousand and – 2010. Between '10 11 and '11. 12 Q. Where did you first meet her? 13 A. I don't remember which country. Her, two of 14 her friends, and a couple of my friends were – were in 15 my room, having a great time, talking, laughing. 16 Q. Is it a hotel room? 17 A. Hotel room. 18 Q. Was it a European country? 19 A. European country. I don't know if it's 20 Vienna. I don't remember. I don't remember. 21 Q. Was it Prague? 22 A. No, I don't think it's Prague. 23 Q. So what were the circumstances of your first 24 meeting? 25 A. A friend of mine brought three – brought

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Page 94 1 three friends to my room, 2:00, 3:00 a.m., and just – I 2 don't know. I don't know how many people were there. 3 Five, six people, just talking, laughing. 4 Q. Would you mind if I call her Kat for the 5 purposes of this? That will be clear? 6 A. I don't mind. 7 Q. What was your first impression of Kat? 8 MR. GUTMAN: Objection. Form. 9 THE WITNESS: Kat, great person. Told me that 10 after she was coming to – she didn't want to model 11 anymore and that she had interest in taking photos of – 12 just taking photos. I don't know if she said about 13 modeling photos or music or like live performances. And 14 I told her, "Well, if this is something you want to do, 15 come and shoot our band." 16 And then, you know, we talked, she's like, "No 17 way. Oh, my God, no." And then she's like, "But I 18 don't even have a camera." 19 I was like, "Well, if you find a camera, the 20 opportunity is there. I can't guarantee you that I'm 21 going to give you a job, but if this is something you 22 want to do, please." 23 And then she jumped into the opportunity. I 24 think she borrowed the friend's camera. And she came, 25 she shot it, she showed it to me. I don't remember the	Page 95 1 quality of the photo, but she was very happy about it, 2 and I was like, "Well, if you want to continue, the 3 opportunity is there. As I said, there's no way that 4 I'm guaranteeing you a job, but there's an opportunity 5 for you to begin with this new career." That's up to 6 her to choose to continue on and on. 7 And I think that's in – I think that's it, 8 from how it started, from the night when we first met to 9 the first show. 10 BY MR. ROSENBLATT: 11 Q. And what was your first impression of her work 12 as a photographer? 13 A. I'm not experienced. They're not taking 14 photos of me. We didn't use any of the photos, from 15 what I recall, on her first show. I was more giving her 16 the opportunity to follow a dream that she said she had. 17 So quality wasn't gauged. It was more her determination 18 of wanting to do something more than modeling. 19 Q. And I understand that's how it first started. 20 Do you remember when you started assessing her work as a 21 photographer? 22 A. No. No. She really liked doing it. And I 23 don't remember how many shows it was before she met Axl, 24 but her drive to learn and be better, it was admirable. 25 Q. So you thought she had admirable
Page 96 1 characteristics of determination? 2 MR. GUTMAN: Objection. Form. Vague, ambiguous, 3 unintelligible. 4 THE WITNESS: She kept showing up and doing the 5 job. And I'm using the word "job" loosely. Showed up 6 with a rented camera – not a rented. Borrowed. That's 7 like pretty great. 8 BY MR. ROSENBLATT: 9 Q. So did you hire her to work with Guns N' 10 Roses? 11 A. At that time? 12 Q. Yeah. 13 A. I gave her an opportunity to come shoot us, or 14 take photos. 15 Q. So when was she first hired? 16 A. Hired in what way? 17 Q. Paid money to take pictures of Guns N' Roses. 18 A. I don't remember. 19 Q. Can you approximate what the year was? 20 A. I would imagine it would be the first year. 21 I'm sorry, I don't know if I'm allowed – I don't know. 22 Q. Within the first year of meeting her in 23 Prague? 24 A. Maybe. Kat would know. 25 Q. Do you remember when she started traveling	Page 97 1 with the band? 2 A. Since we first met. 3 Q. So it was pretty quickly after you first met 4 to her traveling with the band? 5 A. I believe so. 6 Q. Okay. And what was she hired to do at first? 7 A. Hired when money exchanged hands? 8 Q. Yes. 9 A. Or hired when I asked her "if you want to do 10 this, do it?" 11 Q. Both. 12 MR. GUTMAN: Objection. Compound. Objection as to 13 form. Vague and ambiguous. 14 THE WITNESS: Can you re-ask the question in 15 singular? 16 BY MR. ROSENBLATT: 17 Q. The first question is – 18 A. Okay. 19 Q. – when did you first hire her? 20 MR. GUTMAN: Objection as to form. 21 THE WITNESS: Hired as in exchanged money? 22 MR. ROSENBLATT: Yes. 23 THE WITNESS: I don't remember. 24 BY MR. ROSENBLATT: 25 Q. Okay. Do you remember what she was first

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Page 98 1 hired to do? 2 MR. GUTMAN: Again, objection as to form. 3 THE WITNESS: Hired, as in exchanged money? 4 MR. ROSENBLATT: Yes. 5 THE WITNESS: I don't remember – well, I don't 6 remember when she was hired, but she was to take photos 7 of the band. 8 BY MR. ROSENBLATT: 9 Q. Did you negotiate the terms of her engagement? 10 MR. GUTMAN: Objection as to form. 11 THE WITNESS: Negotiate in what manner? 12 BY MR. ROSENBLATT: 13 Q. Negotiate the terms. 14 A. Which terms? 15 Q. The fee, how long, where it would occur, what 16 her duties – what she was supposed to do. 17 A. The fee, I would believe there was a number 18 offered. I would ass- – I would believe so. Because 19 I – I don't know if it was even – when she first 20 started, she worked for free. But I don't remember, 21 right? So her duties, to take photos. 22 There was two more subquestions there I can't 23 remember. 24 Q. The duration. 25 A. The duration, during a tour period.	Page 99 1 Q. And what compensation was agreed upon? 2 A. I don't remember. 3 Q. Was there any discussion about copyright 4 ownership in that initial engagement? 5 MR. GUTMAN: You're talking with him, or – let me 6 just object to the form. Foundation. 7 THE WITNESS: Again, there was – there was a 8 number agreed upon. I don't remember what that number 9 was as it relates to salary, which I then moved Kat – 10 Kat's hiring and everything that came with to Legal. 11 And Legal then took over from there. And as it relates 12 to whatever money was agreed upon, then went to our 13 business manager, which at that time was Bernie. And my 14 hands was then – my job as Guns N' Roses manager was 15 then done. 16 Q. Was there any discussion about photo credit in 17 that initial engagement? 18 A. No. 19 Q. Did you provide her with a written contract 20 for that first engagement? 21 A. First engagement when we're in my hotel room 22 in the middle of the night? 23 Q. No, the first engagement, the first time that 24 money was – exchanged hands. The first time you hired 25 her.
Page 100 1 MR. GUTMAN: Objection. Foundation. 2 THE WITNESS: I do believe whenever that money – 3 whenever there was exchange of money was when I moved 4 over to business manager and lawyers to make sure legal 5 is covered, financial is covered. 6 BY MR. ROSENBLATT: 7 Q. So did you provide her with a written contract 8 for that first engagement? 9 MR. GUTMAN: Again, form. Objection as to form. 10 And foundation. Asked and answered. 11 THE WITNESS: Me personally? 12 BY MR. ROSENBLATT: 13 Q. Or through Bernard. 14 A. Bernie or Doug Mark at the time, which is our 15 lawyer? Yes, I believe so. 16 Q. When was that contract provided? 17 A. It goes into – 18 MR. GUTMAN: Objection. Foundation. 19 THE WITNESS: It goes into I don't remember when 20 that date started. 21 BY MR. ROSENBLATT: 22 Q. Did Doug Mark draft that contract? 23 MR. GUTMAN: Objection. Foundation. 24 THE WITNESS: I believe so. I believe so. 25 ///	Page 101 1 BY MR. ROSENBLATT: 2 Q. Could it have been Bernard, Bernie? Could he 3 have drafted the contract? 4 A. No, it could have been somebody in Doug Mark's 5 office at the time. 6 Q. Did you review the first contract before it 7 was sent to Ms. Benzova? 8 A. No. 9 Q. Did you know if that contract had a specified 10 term? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: I can't speak to legal terms. 13 BY MR. ROSENBLATT: 14 Q. Were you aware if the contract had a definite 15 duration, a beginning point and an end point? 16 MR. GUTMAN: Objection. Foundation. 17 THE WITNESS: Yeah. Yes. 18 BY MR. ROSENBLATT: 19 Q. It did? 20 MR. GUTMAN: Objection. Foundation. 21 Argumentative. Asked and answered. 22 MR. ROSENBLATT: Will you repeat the question and 23 his response, please. 24 (Record read as follows: "Were you aware if 25 the contract had a definite duration, a

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Page 102 1 beginning point and an end point?" 2 "ANSWER: Yes.") 3 BY MR. ROSENBLATT: 4 Q. What was the definite duration? 5 MR. GUTMAN: Objection. Foundation. 6 THE WITNESS: The contract – I was asked to 7 provide when the tour durations were. Does that make 8 sense? Tour durations broken down by tour territory, 9 such as Canada, U.S., Central America, South America, 10 Europe, Asia. And each tour has its own duration with a 11 break in between. 12 BY MR. ROSENBLATT: 13 Q. Typically how long is each duration, and 14 typically how long is each break? 15 A. It varies. 16 MR. GUTMAN: Objection. Foundation. 17 THE WITNESS: It varies. 18 BY MR. ROSENBLATT: 19 Q. Can you approximate? 20 MR. GUTMAN: Objection. Foundation. 21 Argumentative. 22 THE WITNESS: I can approximate 10 days to 45 days, 23 or 10 days – there's no – oh, I can just – sorry – 24 10 days to 90 days, a tour leg could be. 25 MR. ROSENBLATT: Okay, a tour leg.	Page 103 1 Do you guys want lunch now? 2 MR. GUTMAN: No, why don't we keep going. 3 You okay? 4 THE WITNESS: I'm okay. 5 BY MR. ROSENBLATT: 6 Q. Did that contract address copyright ownership, 7 that first contract? 8 MR. GUTMAN: Objection. Foundation. 9 THE WITNESS: I don't know. 10 BY MR. ROSENBLATT: 11 Q. Did the contract state the photographs would 12 be work for hire? 13 MR. GUTMAN: Objection. Foundation. 14 THE WITNESS: I don't know. 15 BY MR. ROSENBLATT: 16 Q. Between 2010 and 2022, how many written 17 contracts were executed with Ms. Benzova? 18 MR. GUTMAN: Objection. Foundation. 19 THE WITNESS: I don't know. 20 BY MR. ROSENBLATT: 21 Q. Between 2016 and 2022, how many written 22 contracts were executed with Ms. Benzova? 23 MR. GUTMAN: Objection. Foundation. 24 THE WITNESS: I don't know. That's a Legal 25 question.
Page 104 1 BY MR. ROSENBLATT: 2 Q. Did each contract specify the term with a 3 start date and an end date? 4 MR. GUTMAN: Objection. Foundation and compound. 5 THE WITNESS: The contract stated when the tour 6 would start and when the tour would finish. Tour leg. 7 BY MR. ROSENBLATT: 8 Q. Tour leg. Did you consider Ms. Benzova an 9 employee? 10 MR. GUTMAN: Objection. Foundation. Calls for a 11 legal conclusion. 12 THE WITNESS: No. 13 BY MR. ROSENBLATT: 14 Q. Did you consider Kat an independent 15 contractor? 16 A. Oh, in that – 17 MR. GUTMAN: Objection. Foundation. 18 THE WITNESS: Sorry, you meant – no, that's more 19 of a Legal and business manager question. I mean, I 20 just – Kat was a friend. 21 MR. ROSENBLATT: Can you repeat that last – 22 THE WITNESS: Kat was a friend. So as it states – 23 as it states her position and/or hiring, if it's an 24 independent contractor or employee, that's outside my 25 purview.	Page 105 1 BY MR. ROSENBLATT: 2 Q. Did you ever issue Kat a W-2 form? 3 MR. GUTMAN: Objection. Foundation. 4 THE WITNESS: That's a business manager question. 5 BY MR. ROSENBLATT: 6 Q. Not to harass, just to clarify. 7 Meaning, you don't know? 8 A. I don't know. 9 Q. Did you ever issue Kat a 1099 form? 10 MR. GUTMAN: Objection. Foundation. 11 THE WITNESS: My success is to stay in my lane. 12 MR. GUTMAN: Just answer the question. 13 MR. ROSENBLATT: Please don't coach the witness. 14 Alan, please don't coach the witness. 15 THE WITNESS: As business managers go, it's their 16 lane. My lane. So I don't know. 17 BY MR. ROSENBLATT: 18 Q. Can you tell me more about what your lane is? 19 MR. GUTMAN: Objection. Argumentative. Form. 20 Foundation. 21 THE WITNESS: As it relates to Guns N' Roses the 22 brand and the band. 23 BY MR. ROSENBLATT: 24 Q. So classification of an independent contractor 25 or an employee would be outside of your lane?

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Page 106 1 MR. GUTMAN: Objection. Form. Foundation. 2 THE WITNESS: (Inaudible response.) 3 BY MR. ROSENBLATT: 4 Q. And intellectual property would be outside 5 your lane? 6 MR. GUTMAN: Objection. Form. Foundation. Asked 7 and answered. 8 THE WITNESS: Correct. 9 BY MR. ROSENBLATT: 10 Q. So you didn't understand what it meant that 11 Kat was classified as an independent contractor? 12 MR. GUTMAN: Objection. Form. Foundation. 13 THE WITNESS: Your question is... 14 BY MR. ROSENBLATT: 15 Q. Do you understand what it means that Kat was 16 classified as an independent contractor? 17 MR. GUTMAN: Objection. Form. Foundation. 18 THE WITNESS: No. 19 BY MR. ROSENBLATT: 20 Q. Not to harass, just to... 21 MR. GUTMAN: But you will anyway. 22 BY MR. ROSENBLATT: 23 Q. Do you understand the difference between an 24 employee and an independent contractor for tax purposes? 25 MR. GUTMAN: Objection. Form. Foundation.	Page 107 1 THE WITNESS: No. 2 BY MR. ROSENBLATT: 3 Q. Do you understand the difference between an 4 employee and an independent contractor for copyright 5 purposes? 6 MR. GUTMAN: Objection. Form. Foundation. 7 THE WITNESS: No. 8 BY MR. ROSENBLATT: 9 Q. Did Kat use her own computer? 10 A. I don't know. 11 Q. On tour? Did you provide her with a computer? 12 A. I don't know. 13 Q. Did you provide her with a camera? 14 Let me rephrase. Did Kat – 15 A. Yes, I provided her with a camera. 16 Q. When? 17 A. 2016, '17. 18 Q. Did Kat ever use her own camera equipment? 19 A. I don't know. 20 Q. In 2016, what camera equipment did you provide 21 her? 22 A. I provided her with a camera. 23 Q. Did she already have her own camera? 24 A. She had a camera. I don't know if it was 25 hers.
Page 108 1 Q. She had a camera from 2011 to 2016? 2 MR. GUTMAN: Objection. Foundation. 3 THE WITNESS: In 2011, if that's when she first 4 started, she did not have a camera. She borrowed one. 5 BY MR. ROSENBLATT: 6 Q. She borrowed one? 7 A. Yeah. 8 Q. Do you know who she borrowed it from? 9 A. No. 10 Q. But you didn't provide her the initial camera? 11 A. No, no, no. 12 Q. Did Kat use her own editing software? 13 MR. GUTMAN: Objection. Foundation. 14 THE WITNESS: I don't know. 15 MR. ROSENBLATT: Let's take a break. Let's take 16 lunch now. 17 THE VIDEOGRAPHER: Going off record. The time is 18 12:10 p.m. Pacific time. 19 (Recess.) 20 THE VIDEOGRAPHER: We are back on the record. The 21 time is 12:26 p.m. Pacific time. 22 MR. ROSENBLATT: Back on the record. 23 Q. All right, Mr. Lebeis, why were you hired as 24 Guns N' Roses's manager? 25 MR. GUTMAN: Objection. Foundation. Speculation.	Page 109 1 Form. 2 THE WITNESS: Axl asked me to. 3 BY MR. ROSENBLATT: 4 Q. Did he ever give a reason about why you were 5 the man for the job? 6 A. No. 7 Q. He never... 8 MR. GUTMAN: You don't need to repeat his answer 9 back to him. 10 BY MR. ROSENBLATT: 11 Q. Did you ever tell Axl that you were 12 knowledgeable in copyright? 13 A. No. 14 Q. Did you ever tell Axl you were knowledgeable 15 in intellectual property? 16 A. No. 17 Q. Did you ever tell Axl you were knowledgeable 18 in trademarks? 19 A. No. It never came up. 20 Q. How long have you known Axl? 21 A. Since I was ten years old. 22 Q. And how did you guys first meet? 23 A. By passing. He came by where my mom worked at 24 the time. 25 Q. And what was your first impression of him?

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Page 110 1 MR. GUTMAN: Objection as to form. 2 THE WITNESS: Amazing. 3 BY MR. ROSENBLATT: 4 Q. Correct me if I'm wrong. You said you are 46 5 now? 6 A. Yeah. 7 Q. So you guys have known each other for 35 8 years? 9 A. Yeah. 10 Q. And you became manager when you were – 11 A. 30. 12 Q. – 35? 13 A. 30. 2011. 14 Q. Did you ever study under Doug Goldstein? 15 A. No. 16 Q. Do you know Doug Goldstein? 17 A. Yes. 18 Q. What do you think of him? 19 MR. GUTMAN: Objection as to form. 20 THE WITNESS: Personally, what I think of him? 21 MR. ROSENBLATT: Yeah. 22 THE WITNESS: I don't know how to answer that, what 23 I think of him. When I was with Doug, cool. Cool guy. 24 BY MR. ROSENBLATT: 25 Q. Did you think he was a competent band manager?	Page 111 1 MR. GUTMAN: Objection. Form. Foundation. 2 THE WITNESS: I'm not a person that could – I 3 didn't have the experience to judge a person's ability 4 to manage a band. 5 BY MR. ROSENBLATT: 6 Q. At that point in time? 7 A. At that point in time. 8 Q. Did you ever study under Doc McGhee? 9 MR. GUTMAN: Objection. Form. Foundation. 10 THE WITNESS: When you say "study," what do you 11 mean? 12 BY MR. ROSENBLATT: 13 Q. Did you work under them when they were band 14 managers? 15 MR. GUTMAN: Objection. Form. Foundation. 16 MR. ROSENBLATT: Let me rephrase. 17 Q. Doc McGhee, he was a previous band manager of 18 Guns N' Roses; correct? 19 A. Yeah. 20 Q. Doug Goldstein was a previous band manager of 21 Guns N' Roses; correct? 22 A. Mm-hmm. 23 Q. Irving Azoff was a previous band manager of 24 Guns N' Roses; correct? 25 A. Correct.
Page 112 1 Q. Did you ever study under them or work 2 underneath any of them? 3 MR. GUTMAN: Objection. Form. Foundation. 4 THE WITNESS: Yes. I worked for Guns while they 5 were – or most of them were managers to Guns. 6 BY MR. ROSENBLATT: 7 Q. Were you ever like the apprentice of any band 8 manager that preceded you? 9 MR. GUTMAN: Objection. Form. Foundation. 10 THE WITNESS: As if they took me under their wing 11 and showed me the ropes? 12 MR. ROSENBLATT: Yes. 13 THE WITNESS: No. 14 BY MR. ROSENBLATT: 15 Q. So, are you familiar with the Dropbox account 16 that's used for Guns N' Roses photography? 17 MR. GUTMAN: Objection. Foundation. 18 THE WITNESS: Yes. 19 BY MR. ROSENBLATT: 20 Q. Who created that Dropbox? 21 A. I don't know. I don't know. 22 Q. When was it created? 23 A. For which time? 24 Q. When? 25 A. For which time, when was it created?	Page 113 1 Q. The Dropbox account you used for Guns N' Roses 2 for photography. Are there multiple times? Are there 3 multiple accounts? 4 A. I think there were multiple accounts made. I 5 think there was one that we then created a business one 6 that had more space. But I don't remember. I don't 7 know. 8 Q. Did everybody – did people have different 9 access to different Dropboxes? 10 MR. GUTMAN: Objection. Foundation. 11 THE WITNESS: Yes. 12 BY MR. ROSENBLATT: 13 Q. What was the purpose for creating the 14 different Dropbox accounts? 15 MR. GUTMAN: Objection. Foundation. 16 THE WITNESS: From live footage, as it related to 17 performances for media, for all photos taken, for 18 approved photos taken, to specific show, city. 19 BY MR. ROSENBLATT: 20 Q. Who approved the photos? 21 MR. GUTMAN: Objection. Incomplete hypothetical. 22 Speculation. Foundation. 23 THE WITNESS: Approved the photos for... 24 BY MR. ROSENBLATT: 25 Q. You said there's a Dropbox with approved

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Page 114 1 photos. 2 A. Mm-hmm. 3 MR. GUTMAN: Objection. Argumentative. Misstates 4 the testimony. 5 THE WITNESS: Approved photos for what? Like the 6 approved folder that's on there that I just said? 7 MR. ROSENBLATT: Yeah. 8 THE WITNESS: Who authorized? 9 MR. ROSENBLATT: Yeah. 10 THE WITNESS: From which period? 11 MR. ROSENBLATT: 2016 to 2021. 12 THE WITNESS: A representative for Axl, Slash, and 13 Duff. 14 BY MR. ROSENBLATT: 15 Q. And 2022? 16 A. Same. 17 Q. 2023? 18 A. Same. 19 Q. 2011 to 2015? 20 A. A representative for Axl. 21 Q. Do you remember the representative's name? 22 A. For which? 23 Q. That approved – 24 A. For which person? 25 Q. For Axl.	Page 115 1 A. From 2011 on, I think it was Kat and Vanessa 2 that approved the photos. 3 Q. Did you have access to the Dropboxes? 4 A. I believe so. 5 Q. Did you have access to all of them? 6 A. I believe so, but I never did. I mean, maybe 7 I did enter the Dropboxes, but... 8 Q. Were you permitted? 9 A. I was permitted. 10 Q. Did Beta Lebeis have access? 11 A. I don't know. 12 Q. Did Vanessa Santos have access? 13 A. I don't know. 14 Q. Did Alex Santos have access? 15 A. No. 16 Q. Did Axl Rose have access? 17 A. No. 18 Q. Why did Axl Rose not have access? 19 MR. GUTMAN: Objection. Speculation. Foundation. 20 THE WITNESS: He never asked for it. 21 BY MR. ROSENBLATT: 22 Q. Did Slash have access? 23 A. I don't know. 24 Q. Did Duff McKagan have access? 25 A. I don't know.
Page 116 1 Q. Did anyone else have access? 2 MR. VIDEOGRAPHER: You just dropped your mic. 3 MR. ROSENBLATT: I'll start back a couple 4 questions. 5 Q. Did Slash have access to the Dropbox accounts? 6 A. I don't know. 7 Q. Did Duff McKagan have access? 8 A. I don't know. 9 Q. Did anyone else that you know of have access 10 to the Dropbox accounts? 11 A. I don't know. 12 Q. Who decided which photographs would be used? 13 MR. GUTMAN: Objection. Overbroad. Calls for 14 speculation. Incomplete hypothetical. Foundation. 15 THE WITNESS: Used for... 16 BY MR. ROSENBLATT: 17 Q. Who decided which photographs would be posted 18 on the social media? 19 MR. GUTMAN: Objection. Overbroad. Foundation. 20 Speculation. Incomplete hypothetical. 21 THE WITNESS: I don't know. 22 BY MR. ROSENBLATT: 23 Q. Did you decide? 24 MR. GUTMAN: Did he decide what, Counsel? 25 Incomplete.	Page 117 1 BY MR. ROSENBLATT: 2 Q. Did you decide – did you ever decide which 3 photographs would be posted on social media? 4 A. From this specific Dropbox? 5 Q. From any Dropbox. 6 A. Or any Dropbox? Maybe. I might have said – 7 I can't say no, and I'm like, "Well, but Fernando chose 8 this one photo this one time to make sure to get posted 9 on social media." Do you understand what I'm saying? 10 So I did not pick which photos would go on the social 11 media post. 12 Q. Did Vanessa Santos ever decide which photos 13 would be posted on social media? 14 A. I don't know. 15 Q. Who decided which photographs would be sent to 16 media outlets? 17 MR. GUTMAN: Objection. Foundation. Incomplete 18 hypothetical. 19 THE WITNESS: Kat. 20 BY MR. ROSENBLATT: 21 Q. Did you ever decide which photos would be sent 22 to media outlets? 23 A. I may have said, "I really like this photo. 24 We should use this as much as we can." 25 Q. Were you Kat's supervisor?

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Page 118 1 MR. GUTMAN: Objection. Foundation and form. 2 THE WITNESS: No. 3 BY MR. ROSENBLATT: 4 Q. Did you oversee and monitor what her job was? 5 MR. GUTMAN: Objection. Foundation. Form. 6 Compound. 7 THE WITNESS: Oversee and monitor? No. 8 BY MR. ROSENBLATT: 9 Q. Did you have the ability to hire her or fire 10 her? 11 MR. GUTMAN: Objection. Foundation. Compound. 12 THE WITNESS: If a reason presented itself, yes. 13 BY MR. ROSENBLATT: 14 Q. Did you have the power to alter her 15 compensation? 16 MR. GUTMAN: Sorry, the question, "have the power"? 17 Objection. Foundation. Form. 18 THE WITNESS: Based on an agreement between her and 19 I, it would be the only way I would alter her 20 compensation. 21 BY MR. ROSENBLATT: 22 Q. Who decided which photographs from the Dropbox 23 would be licensed to third parties? 24 MR. GUTMAN: Objection. Foundation. Form. 25 Speculation. Incomplete hypothetical.	Page 119 1 THE WITNESS: Such as... 2 MR. ROSENBLATT: Bravado. 3 MR. GUTMAN: Objection. Foundation. Form. 4 Speculation. Incomplete hypothetical. 5 THE WITNESS: Representatives of the principals as 6 it relates to that period. From 2016 onward, there are 7 different principals than previously, as we established. 8 BY MR. ROSENBLATT: 9 Q. So Jeff Vamer is the representative of Slash? 10 A. Correct. 11 Q. What's the name of Duff's representative? 12 A. Brian. 13 Q. Brian. And the name of Axl's representative? 14 A. It could be myself, Vanessa Santos, or Beta 15 Lebeis. 16 Q. So you guys would decide which photographs 17 would be licensed to Bravado? 18 MR. GUTMAN: Objection. Foundation. Form. 19 Misstates. And argumentative. 20 THE WITNESS: I don't know if it's a license to 21 Bravado, but there was a few occasions that we used a 22 photo as part of – is it a T-shirt? – I believe a 23 T-shirt. 24 BY MR. ROSENBLATT: 25 Q. Do you remember which photo was used for a
Page 120 1 T-shirt with Bravado? 2 A. An Axl – 3 MR. GUTMAN: Objection. Foundation. 4 THE WITNESS: An Axl photo. 5 BY MR. ROSENBLATT: 6 Q. Was that photograph taken by Kat? 7 A. Yeah. 8 Q. Do you remember the year that it was taken. 9 A. No. No. 10 Q. Did you personally send any of Kat's 11 photographs to third parties? 12 A. Such as? 13 Q. Like a media outlet. 14 A. Me, personally? 15 Q. Yeah. 16 A. I don't believe so. 17 Q. To Bravado? 18 MR. GUTMAN: Is that a complete question? 19 BY MR. ROSENBLATT: 20 Q. Did you personally send any of Ms. Benzova's 21 photographs to Bravado? 22 A. I don't remember. 23 Q. Did you personally send any of Ms. Benzova's 24 photographs to a pinball machine company? 25 A. Me, personally?	Page 121 1 Q. Yes. 2 A. I don't think I personally did. 3 Q. Are you aware that a pinball machine company 4 used photos of Guns N' Roses? 5 A. Yes. 6 Q. Were you part of the process of choosing the 7 photographs – 8 A. No. Or I didn't let you finish. I'm sorry. 9 Q. No problem. 10 Were you part of the process of – let me 11 rephrase. 12 Were you a conduit between whoever chose the 13 photographs and the pinball machine company? 14 A. No. 15 Q. Did you send any of Kat's photographs to 16 Mercury Concerts? 17 A. I may have sent a link to a Dropbox that 18 contained photos used to – photos free to use. I don't 19 know how to... Part of, I guess, media packet. 20 Q. What is Mercury Concerts? 21 A. Mercury Concerts is a South American promoter 22 we use. 23 Q. Where are they based? 24 A. I don't know. 25 Q. Are they like a South American version of Live

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Page 122 1 Nation? 2 A. Yes. 3 MR. GUTMAN: Objection. Foundation. Form. 4 THE WITNESS: Yes. 5 BY MR. ROSENBLATT: 6 Q. So what services do they provide? 7 MR. GUTMAN: Objection. Foundation. 8 THE WITNESS: A partnership. 9 BY MR. ROSENBLATT: 10 Q. So Mercury Concerts is a partner of Guns N' 11 Roses? 12 MR. GUTMAN: Objection. Form. Foundation. 13 Argumentative. 14 THE WITNESS: Based on a tour, on the territories 15 in which they provide a service to. 16 BY MR. ROSENBLATT: 17 Q. And do you know which territories – 18 A. Mainly – 19 Q. – Mercury Concerts covers? 20 A. Sorry. Mainly Latin America. 21 Q. Brazil? 22 A. South America, Central America. 23 Q. Uruguay? 24 A. Yeah, as the whole – 25 Q. Argentina?	Page 123 1 A. Yes. Yes. 2 Q. Ecuador? 3 A. Yes. 4 Q. Mexico? 5 A. Yes. They provide a service in Mexico, but we 6 also have different partners, depending, and I won't be 7 able to tell you which date we use which partner. 8 Q. Okay. Peru? 9 A. Yes. 10 Q. Colombia? 11 A. Yes. 12 Q. Panama? 13 A. I don't know if we use him for Panama. I 14 would imagine so. 15 Q. Which social media platforms does Guns N' 16 Roses use? 17 MR. GUTMAN: Objection. Foundation. Form. 18 THE WITNESS: I would imagine Instagram, MySpace 19 Orkut, Facebook. What's the other ones? TikTok. I 20 don't know. We're an international band. 21 BY MR. ROSENBLATT: 22 Q. Twitter? 23 A. X. 24 Q. X. I gotta get with the times. 25 And then, I'm out of touch. Will you repeat
Page 124 1 the third one? 2 A. Orkut is a Brazilian – 3 Q. Okay. 4 A. I was just being – 5 Q. And how do you spell that? 6 A. O-r-k-u-t. But I don't know if we actually 7 have – I don't think Orkut even exists anymore. 8 Q. Oh, okay. It's like MySpace; it's out of 9 date? 10 A. Yeah. Yeah. 11 MR. GUTMAN: Is MySpace still around? 12 THE WITNESS: I think so. 13 MR. ROSENBLATT: Is it? 14 THE WITNESS: I think so. I think they – they're 15 still there. 16 MR. GUTMAN: It's coming back. 17 THE WITNESS: It's never – you know, never say 18 never. 19 MR. ROSENBLATT: Are you guys all on it? 20 Q. When you posted photographs on social media, 21 did you provide credit to Kat? 22 MR. GUTMAN: Objection. Foundation. And form. 23 THE WITNESS: No. 24 BY MR. ROSENBLATT: 25 Q. Why not?	Page 125 1 A. It was a known fact that she was our 2 photographer and she supplied the photos. And every 3 photo that we posted, she would then post onto her own 4 social media. 5 Q. What do you mean "it was a known fact"? 6 A. Everybody that is involved with Guns N' Roses 7 knows that Katarina was our official photographer. 8 Q. What about everyone not involved with Guns N' 9 Roses? 10 MR. GUTMAN: I'm sorry, I couldn't hear the 11 question. Could you read it to me. 12 (Last question read.) 13 MR. GUTMAN: Objection. Speculation. Incomplete 14 hypothetical. Totally unintelligible. Foundation. 15 THE WITNESS: I meant involved as in knew the band. 16 We have a pretty strong following. 17 BY MR. ROSENBLATT: 18 Q. How big is the following? 19 A. Based on Facebook, like 31 million. 20 Q. When you sent Kat's photographs to third 21 parties, did you tell them who took the photograph? 22 MR. GUTMAN: Objection. Foundation. Incomplete 23 hypothetical. 24 THE WITNESS: Third parties such as... 25 MR. ROSENBLATT: Mercury Concerts.

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Page 126 1 THE WITNESS: It was known that Kat was our 2 photographer at the time. 3 BY MR. ROSENBLATT: 4 Q. Did you tell Bravado that Kat took the 5 photographs? 6 MR. GUTMAN: Objection. Foundation. 7 THE WITNESS: It was known that Kat was our 8 photographer. 9 BY MR. ROSENBLATT: 10 Q. When you sent the photographs to third 11 parties, did you tell the third parties that Guns N' 12 Roses owned the photographs? 13 MR. GUTMAN: Objection. Foundation. Incomplete 14 hypothetical. 15 THE WITNESS: I don't know if that question ever 16 came up. 17 BY MR. ROSENBLATT: 18 Q. They never asked you who owned the 19 photographs? 20 A. No. 21 MR. GUTMAN: Objection. Foundation. 22 MR. ROSENBLATT: Please don't coach the witness. 23 MR. GUTMAN: Do not instruct me how to conduct 24 myself. I'm making an objection. I objected 25 foundation. Don't talk to me in such an unprofessional	Page 127 1 manner. When are you going to learn how to conduct 2 yourself in a professional manner? Ridiculous. 3 MR. ROSENBLATT: I said "please," and I thought 4 your gestures were suggestive. 5 MR. GUTMAN: There was absolutely no gesture. I 6 was stating an objection. 7 MR. ROSENBLATT: We'll let the record see it, okay? 8 MR. GUTMAN: Counsel, you better watch yourself, 9 you know. You just, you like to act out in a very 10 immature and unprofessional manner, and I think it's 11 very inappropriate. Hopefully you'll learn. 12 MR. ROSENBLATT: That's your opinion. 13 Q. When you sent the photographs to third 14 parties, did you tell them that Guns N' Roses owned the 15 photographs? 16 MR. GUTMAN: Objection. Foundation. Speculation. 17 Incomplete hypothetical. 18 THE WITNESS: During the time in which Kat was our 19 official photographer, I believe I connected directly 20 Kat to Mercury. 21 BY MR. ROSENBLATT: 22 Q. Did you ever affix the Guns N' Roses logo to 23 any of Kat's photographs? 24 MR. GUTMAN: Objection. Foundation. 25 THE WITNESS: Me, personally?
Page 128 1 MR. ROSENBLATT: Yes. 2 THE WITNESS: No. 3 BY MR. ROSENBLATT: 4 Q. Did you have the authority? 5 A. To put the – 6 MR. GUTMAN: The authority to affix the Guns N' 7 Roses photo to any – the Guns N' Roses logo to any 8 photos? Objection. Foundation. 9 THE WITNESS: The watermark? 10 MR. ROSENBLATT: Yeah. 11 THE WITNESS: Did I have the power to do so? I had 12 the power to do so. 13 BY MR. ROSENBLATT: 14 Q. Who gave you that power? 15 MR. GUTMAN: Objection. Foundation. 16 THE WITNESS: Kat gave me the idea, and then I 17 created a watermark, supplied it to her, and she placed 18 it on there. 19 BY MR. ROSENBLATT: 20 Q. Okay. And what was the purpose of placing the 21 Guns N' Roses logo on the photographs? 22 MR. GUTMAN: Objection. Foundation. 23 THE WITNESS: Because Kat was not happy that the 24 photos were being re-shared without knowing they 25 originated from Guns N' Roses officially.	Page 129 1 BY MR. ROSENBLATT: 2 Q. It was important to Kat – 3 A. To look out for Guns N' Roses. 4 MR. GUTMAN: Hold on, hold on. Let him finish the 5 question. 6 BY MR. ROSENBLATT: 7 Q. Did you understand that placing the Guns N' 8 Roses logo on photographs would suggest that Guns N' 9 Roses owned the photographs? 10 MR. GUTMAN: Objection. Argumentative. 11 Foundation. Speculation. 12 THE WITNESS: Did Kat? It was her idea. 13 BY MR. ROSENBLATT: 14 Q. Did you understand? 15 MR. GUTMAN: Same objections. Foundation. Form. 16 Speculation. 17 THE WITNESS: I'm not equipped to respond. 18 BY MR. ROSENBLATT: 19 Q. Did you ever tell Kat that Guns N' Roses owned 20 the photographs that she took? 21 A. It was my understanding. 22 Q. Just a yes or no, please. 23 A. Can you repeat the question. 24 Q. Did you ever tell Kat that Guns N' Roses owned 25 the photographs that she took?

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Page 130 1 A. Yes. 2 Q. When did you first tell her that? 3 A. I don't know. 4 Q. Do you know where you were when you told her 5 that? 6 A. No. 7 Q. Why did you tell her that? 8 A. Because from day one, it was never a question 9 that we would not own the photos. 10 Q. So did you ever tell Ms. Benzova, quote, "We 11 own the photographs you take," end quote? 12 A. I don't know. 13 Q. Do you recall sending an e-mail to Kat on or 14 about November 6, 2016, stating, "We own the photographs 15 you take"? 16 A. If there's an e-mail, then... 17 Q. Did you mean that literally? 18 MR. GUTMAN: I'm sorry, the question, "Did you mean 19 that literally?" Objection. Foundation. Form. 20 Harassing. Argumentative. 21 BY MR. ROSENBLATT: 22 Q. We'll move on to the next one. 23 When you said "we," who did you mean? 24 A. Guns N' Roses. 25 Q. Did you mean Team Brazil too?	Page 131 1 A. No. No. 2 Q. Did you mean Black Frog Entities? 3 A. I'm not equipped to know what every 4 corporation Guns N' Roses has some sort of involvement 5 with. That kind of – 6 MR. ROSENBLATT: Yeah, let me just ask – 7 THE WITNESS: Okay. Okay. 8 MR. ROSENBLATT: – a few more questions. 9 MR. GUTMAN: Hold on, don't interrupt him while 10 he's responding. If you want to move to strike, you're 11 able to do that. 12 Please finish your answer. 13 THE WITNESS: I don't know where I was. 14 MR. GUTMAN: Can we read back the question and part 15 of his answer. 16 (Last question and answer read.) 17 BY MR. ROSENBLATT: 18 Q. Does Guns N' Roses – 19 MR. GUTMAN: Hold on. Did you finish your answer? 20 THE WITNESS: I finished. 21 MR. GUTMAN: Okay. 22 BY MR. ROSENBLATT: 23 Q. Does Guns N' Roses have some sort of 24 involvement in Black Frog Entities? 25 A. I don't know.
Page 132 1 MR. GUTMAN: Objection. Speculation. Foundation. 2 BY MR. ROSENBLATT: 3 Q. And Gundam entities? 4 MR. GUTMAN: Objection. Foundation. Form. 5 THE WITNESS: I don't know. 6 BY MR. ROSENBLATT: 7 Q. And Waterhead International? 8 A. I don't know. 9 MR. GUTMAN: Same objections. 10 You gotta give me a minute. 11 THE WITNESS: I'm sorry. 12 BY MR. ROSENBLATT: 13 Q. Did you ever tell Kat that the photographs 14 were works made for hire? 15 A. I don't know. 16 Q. Do you believe the photographs she took were 17 works made for hire? 18 MR. GUTMAN: Objection. Foundation. 19 THE WITNESS: I don't know. 20 BY MR. ROSENBLATT: 21 Q. Do you understand that works made for hire 22 require a written agreement? 23 MR. GUTMAN: Objection. Foundation. 24 THE WITNESS: I don't know. 25 ///	Page 133 1 BY MR. ROSENBLATT: 2 Q. Do you understand that the written agreement 3 must be signed before the work is created? 4 MR. GUTMAN: Objection. Foundation. 5 THE WITNESS: I don't know. 6 BY MR. ROSENBLATT: 7 Q. When Ms. Benzova worked without a written 8 contract, did you believe the photographs she created 9 were works made for hire? 10 MR. GUTMAN: Objection. Foundation. Assumes a 11 fact. And argumentative. 12 THE WITNESS: I don't know. 13 BY MR. ROSENBLATT: 14 Q. Did you ever discuss with an attorney whether 15 Kat's photographs were works made for hire? 16 MR. GUTMAN: Absolutely instruct you not to answer 17 that. That's an inappropriate question. 18 And just for the record, the basis, 19 attorney-client privileged communication, so we're 20 clear. 21 BY MR. ROSENBLATT: 22 Q. Did Kat ever object to your statement that "we 23 own the photographs"? 24 A. No. 25 Q. Was there any disputes about photo credit?

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Page 134 1 MR. GUTMAN: Objection to form. 2 THE WITNESS: Disputes as in what? 3 MR. ROSENBLATT: Why she didn't get photo credit, 4 why she wasn't in control of her own photo credit. 5 MR. GUTMAN: Objection to form. 6 THE WITNESS: She was hired as our official 7 photographer. 8 BY MR. ROSENBLATT: 9 Q. Did Kat ever ask you for photo credit? 10 A. Yes. 11 Q. When did she first ask? 12 A. I don't recall. 13 Q. Did you provide her with photo credit? 14 MR. GUTMAN: Objection to form. Foundation. 15 THE WITNESS: Where? 16 BY MR. ROSENBLATT: 17 Q. With Bravado. 18 MR. GUTMAN: Objection to form. 19 THE WITNESS: I don't know where Bravado and Kat's 20 photo credit would coexist. 21 BY MR. ROSENBLATT: 22 Q. Did you believe that there was a valid reason 23 to withhold photo credit from Kat? 24 MR. GUTMAN: Objection. Foundation. 25 THE WITNESS: In which instance?	Page 135 1 MR. ROSENBLATT: Social media. 2 MR. GUTMAN: Objection. Foundation. 3 THE WITNESS: The reason, our caption of each photo 4 or post, it was simple, such as "You rocked," said city, 5 "Thank you, can't wait to come back." There was no 6 mal-intent to keep something from Kat. 7 BY MR. ROSENBLATT: 8 Q. Did you ever use a copyright symbol? 9 A. Where? 10 MR. GUTMAN: I'm sorry? 11 BY MR. ROSENBLATT: 12 Q. What did you say, the caption? Was that what 13 you were just referring to? 14 A. Yeah, the caption. 15 Q. Did you ever use that copyright symbol in a 16 caption? 17 MR. GUTMAN: Are you talking about on the social 18 media posts? 19 MR. ROSENBLATT: Yes. 20 MR. GUTMAN: Incomplete hypothetical. Foundation. 21 THE WITNESS: I didn't – I didn't post them 22 personally. 23 BY MR. ROSENBLATT: 24 Q. On any caption that Guns N' Roses ever used, 25 did they ever use a copyright symbol?
Page 136 1 MR. GUTMAN: Objection. Foundation. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Do you understand that photo credit is 5 important for a photographer's career? 6 MR. GUTMAN: Objection. Foundation. 7 Argumentative. 8 THE WITNESS: I would imagine the product. I 9 would – no. 10 BY MR. ROSENBLATT: 11 Q. Did you understand that photo credit helps 12 photographers get new clients? 13 MR. GUTMAN: Objection. Foundation. Speculation. 14 Argumentative. 15 THE WITNESS: No. 16 BY MR. ROSENBLATT: 17 Q. Did you intentionally withhold photo credit 18 from Kat? 19 A. Never. 20 MR. GUTMAN: Objection. Asked and answered. 21 Argumentative. Foundation. 22 THE WITNESS: Never. 23 BY MR. ROSENBLATT: 24 Q. Do you recall being in Buenos Aires in 25 November 2016?	Page 137 1 A. No. 2 Q. Was there a Guns N' Roses concert in Buenos 3 Aires in 2016? 4 A. Without checking the dates, I don't know. 5 Q. Do you recall having a dispute with Kat about 6 photo credit in November of 2016 in Buenos Aires? 7 A. No. 8 Q. Do you recall sending her an e-mail on or 9 about November 6, 2016, at approximately 2:26 p.m.? 10 MR. GUTMAN: You're asking if he remembers an 11 e-mail from that particular time on that date? 12 MR. ROSENBLATT: Yes. 13 MR. GUTMAN: Okay. 14 THE WITNESS: No. 15 MR. GUTMAN: It's argumentative. It's harassing. 16 BY MR. ROSENBLATT: 17 Q. Did you ever tell Kat that you loved her? 18 A. Yes. 19 Q. How many times? 20 A. As many times as she's told me. 21 Q. Give me an approximate number, please. 22 A. I don't know. Could be three, could be ten. 23 Q. Did you actually love her? 24 MR. GUTMAN: Objection. Vague. Form. 25 THE WITNESS: As a person? Human being? Do I care

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Page 138 1 if she lives or dies? Is that what you mean? I don't 2 understand your definition of "I love you" to my 3 definition of "I love you." 4 BY MR. ROSENBLATT: 5 Q. What's your definition of "I love you"? 6 MR. GUTMAN: Objection. Argument. This is not 7 proceeding in accordance to appropriate deposition 8 rules. 9 THE WITNESS: I cared for her well-being. 10 BY MR. ROSENBLATT: 11 Q. Why did you tell her that you loved her? 12 A. When I'm responding to her telling me she 13 loves me. Feeling was mutual. 14 Q. Excuse me? 15 A. The feeling was mutual. 16 Q. Okay. So what did you mean when you told her 17 that you loved her? 18 A. That as a friend, coworker, person I knew, I 19 care about her being alive, happy. 20 Q. Did you mean it romantically? 21 A. No. 22 Q. Do you recall sending Kat a text message on 23 November 17th, 2016, in – tell me if this is the 24 correct pronunciation – Curitiba, Brazil? 25 A. No.	Page 139 1 Q. Do you recall in those texts that there was a 2 complaint about photo credit? 3 A. No. 4 Q. Do you recall responding that you were too 5 lazy to give her photo credit? 6 A. No. 7 Q. Did you write that? 8 MR. GUTMAN: Counsel, if you want to show him a 9 text message rather than asking about his recollection 10 from something from ten years ago, that might be a more 11 appropriate way to proceed instead of harassing the 12 witness with impertinent questions like you're asking. 13 BY MR. ROSENBLATT: 14 Q. You don't recall? 15 A. Don't recall. 16 Q. Do you recall telling Kat it was all part of a 17 plan? 18 A. No. 19 Q. Do you have a plan regarding photo credit? 20 MR. GUTMAN: Objection. Form. Foundation. 21 Assumes facts. 22 THE WITNESS: There were always talks on doing a 23 book as it related to tour photos, that she would put 24 together with our merchandising company, that – where 25 her photos and/or other photographer's photos were to be
Page 140 1 used, proper credit will be given to all photographers 2 that took place of the contents of the book. 3 BY MR. ROSENBLATT: 4 Q. And did you determine if and how photo credit 5 would be given, or did Kat determine? 6 MR. GUTMAN: Objection. Incomplete hypothetical. 7 THE WITNESS: No such book ever matured. Doesn't 8 mean that it won't. 9 BY MR. ROSENBLATT: 10 Q. Between 2010 and 2022, is it your 11 understanding that Kat Benzova was continuously under a 12 written contract? 13 MR. GUTMAN: Objection. Foundation. 14 THE WITNESS: I believe to be the case. 15 BY MR. ROSENBLATT: 16 Q. Continuously? 17 MR. GUTMAN: You're just gonna repeat a portion of 18 your prior question to argue with the witness? He 19 answered the question already. You're harassing the 20 witness. 21 BY MR. ROSENBLATT: 22 Q. Were there any periods that she worked without 23 a written contract? 24 MR. GUTMAN: Objection. Foundation. Calls for a 25 legal conclusion.	Page 141 1 THE WITNESS: I don't know. 2 BY MR. ROSENBLATT: 3 Q. From April 2016 to August 2021, was Kat under 4 any written contract? 5 MR. GUTMAN: Objection. Calls for a legal 6 conclusion. Foundation. 7 THE WITNESS: Can you re-ask? 8 MR. ROSENBLATT: Can you repeat the pending 9 question. 10 (Last question read.) 11 MR. GUTMAN: Objections noted. 12 THE WITNESS: I believe so. 13 BY MR. ROSENBLATT: 14 Q. Do you recall presenting Kat with a written 15 contract in May of 2016? 16 A. No. 17 Q. Do you recall if she signed a contract in May 18 of 2016? 19 A. No. 20 Q. Did she ever tell you why she didn't sign the 21 contract that was presented to her in 2016? 22 MR. GUTMAN: Objection. Assumes a fact. 23 Foundation. 24 THE WITNESS: No. 25 ///

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Page 142 1 BY MR. ROSENBLATT: 2 Q. Did you use any photographs taken by Kat after 3 October 3rd, 2021? 4 MR. GUTMAN: Objection. Foundation. 5 THE WITNESS: I don't know. 6 BY MR. ROSENBLATT: 7 Q. Did you present a contract to Kat in August of 8 2021? 9 MR. GUTMAN: Objection. Foundation. 10 THE WITNESS: I don't know. 11 BY MR. ROSENBLATT: 12 Q. Did you present a contract to Kat after 13 October 3rd, 2021? 14 MR. GUTMAN: Objection. Foundation. 15 THE WITNESS: I don't know. Don't know. 16 BY MR. ROSENBLATT: 17 Q. How many times did Kat ask for written 18 contracts between May 2016 and August 2021? 19 A. I don't know. 20 Q. Do you remember any instances? 21 A. No. 22 Q. Did you ever tell Kat "family doesn't need 23 contracts"? 24 A. I don't know. 25 Q. Did you consider Kat to be family?	Page 143 1 MR. GUTMAN: Objection. Form. 2 THE WITNESS: Yeah. 3 BY MR. ROSENBLATT: 4 Q. Do you recall telling Kat "family takes care 5 of each other"? 6 A. No. Sorry. 7 Q. Did you understand that Kat wanted to use 8 written contracts? 9 A. Do I understand if Kat wanted to... Yes. 10 Q. Did you deliberately avoid providing written 11 contracts? 12 A. No. 13 Q. Did you believe that without written 14 contracts, you would have more control over Kat? 15 A. No. 16 MR. GUTMAN: Objection. Argumentative. 17 THE WITNESS: No. 18 BY MR. ROSENBLATT: 19 Q. Did you believe that without written 20 contracts, Kat would be less likely to object to your 21 decisions? 22 A. No. 23 MR. GUTMAN: Objection. Argumentative. 24 THE WITNESS: No. 25 ///
Page 144 1 BY MR. ROSENBLATT: 2 Q. How many times did Kat request photo credit 3 between 2016 and 2022? 4 A. I don't know. 5 Q. A lot? 6 A. I don't know. 7 MR. GUTMAN: Objection. Form. 8 BY MR. ROSENBLATT: 9 Q. Over five? 10 A. I don't know. 11 Q. Did you provide photo credit each time she 12 requested it? 13 MR. GUTMAN: Objection. Vague. 14 THE WITNESS: Can you re- -- re-ask or... 15 BY MR. ROSENBLATT: 16 Q. Did you provide photo credit each time Kat 17 requested photo credit? 18 A. I don't think so, no. 19 Q. If not, how many times did you deny photo 20 credit? 21 A. I don't know. I don't know. 22 Q. Why did you deny photo credit? 23 MR. GUTMAN: Objection. Assumes a fact. 24 Foundation. 25 THE WITNESS: On social media posts?	Page 145 1 BY MR. ROSENBLATT: 2 Q. Sure, we'll start there. 3 A. Because my understanding, we owned the photos. 4 Q. Do you recall telling Kat in January 2017 that 5 you didn't want her -- that you didn't want to give her 6 photo credit because you didn't want her to, quote, "get 7 big and leave," end quote? 8 A. I don't remember that. 9 Q. Were you ever concerned that if Kat became 10 more successful, she would stop working with Guns N' 11 Roses? 12 A. No. 13 Q. Did you believe that withholding photo credit 14 would prevent her from becoming more successful? 15 A. No. 16 Q. Was that your intent? 17 A. To keep her from being successful? 18 Q. Yes. 19 A. No. 20 Q. Do you recall having a meeting with Kat and a 21 social media director in Tokyo in January of 2017? 22 A. No. 23 Q. Do you know who Nicolette Neves is? 24 A. Yes. 25 Q. Who is Nicolette Neves?

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Page 146 1 A. She was our social media person at the time. 2 Q. In 2017? 3 A. I don't remember the time. 4 Q. Did you ever meet with her in Tokyo? 5 A. I don't know. 6 Q. Did you ever discuss photo credit with 7 Nicolette Neves? 8 A. I don't remember. 9 Q. Did you ever have any meetings with Nicolette 10 Neves? 11 A. I'm sure. 12 Q. Did you have any meetings with Nicolette Neves 13 and Kat at the same time? 14 A. I don't remember. 15 Q. Did you ever tell Kat that everyone already 16 knew that she was the Guns N' Roses photographer? 17 A. I don't remember saying it. 18 Q. Do you recall sending Kat an e-mail in January 19 2017, stating, "I'm burnt out on this mine versus theirs 20 crap"? 21 A. I don't remember. 22 Q. Were you annoyed that Kat kept asking for 23 copyright ownership? 24 MR. GUTMAN: Objection to form. 25 THE WITNESS: Can you re-ask?	Page 147 1 BY MR. ROSENBLATT: 2 Q. Were you ever annoyed that Kat kept asking 3 about copyright ownership? 4 A. I don't remember. 5 Q. Were you ever annoyed that Kat kept asking 6 about photo credit? 7 A. No. 8 Q. Did you ever want her to stop asking about 9 copyright ownership? 10 MR. GUTMAN: Objection. Argumentative. Assumes a 11 fact. 12 THE WITNESS: No. 13 MR. GUTMAN: Harassing. 14 THE WITNESS: No. 15 BY MR. ROSENBLATT: 16 Q. Do you recall sending Kat an e-mail on or 17 about June 26, 2017, in Copenhagen, telling her to 18 remove public information saying that she was the 19 official photographer of Guns N' Roses? 20 A. No, I don't remember that. 21 MR. GUTMAN: Counsel, you said you wanted to take a 22 lunch break at 1 o'clock. It's now 1:14. We ordered 23 food targeting the 1 o'clock lunch hour. Is now a 24 convenient time to take a break? 25 MR. ROSENBLATT: Yes, of course. Of course.
Page 148 1 MR. GUTMAN: Thank you. 2 THE VIDEOGRAPHER: Off the record. The time is 3 1:14 p.m. Pacific time. 4 (Lunch break.) 5 THE VIDEOGRAPHER: We are back on the record. The 6 time is 2:01 p.m. Pacific time. 7 MR. ROSENBLATT: Okay, back on the record. 8 Okay, this next portion, I just want to say at 9 the outset I'm not here to harass you or annoy you. I'm 10 gonna be asking questions of a similar vein, and they 11 may sound like the same question, but they're gonna 12 pertain to different photographs. So they're different 13 questions. 14 MR. GUTMAN: All right, just ask the questions. We 15 don't need the preamble. 16 MR. ROSENBLATT: Can you mark this as Exhibit.. 17 THE REPORTER: 203. 18 MR. ROSENBLATT: 203. 19 (Defendant's Exhibit 203 was marked.) 20 BY MR. ROSENBLATT: 21 Q. Have you ever seen this photograph, 22 Mr. Lebeis? 23 A. Yes. 24 Q. Where did you see it? 25 A. Yesterday.	Page 149 1 Q. Did you see it before yesterday at the 2 deposition? 3 A. I don't recall. 4 Q. Do you recognize the people depicted in this 5 photograph? 6 A. Yes. 7 Q. Who are they? 8 A. Axl Rose and Duff McKagan. 9 Q. Has this photograph been used in connection 10 with any Guns N' Roses merchandising? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: I don't know. 13 BY MR. ROSENBLATT: 14 Q. Has this photograph been used in connection 15 with any Guns N' Roses advertising? 16 MR. GUTMAN: Objection. Foundation. 17 THE WITNESS: I don't know. 18 BY MR. ROSENBLATT: 19 Q. Has this photo been used in connection with 20 the Nightrain service on gunsntoroses.com? 21 MR. GUTMAN: Objection. Form and foundation. 22 THE WITNESS: I don't know. 23 BY MR. ROSENBLATT: 24 Q. Is it your understanding that Guns N' Roses or 25 any entity affiliated with them owns this photograph?

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Page 150 1 MR. GUTMAN: Objection. Foundation. And compound. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Did you ever obtain written consent from Kat 5 Benzova to use this photograph for any purpose? 6 MR. GUTMAN: Objection. Foundation, since he never 7 saw the photograph. 8 THE WITNESS: I don't know. 9 BY MR. ROSENBLATT: 10 Q. Did you obtain written consent from Kat 11 Benzova to use this photograph for Nightrain? 12 MR. GUTMAN: Objection. Foundation. 13 THE WITNESS: If this is a photo of hers – how do 14 I state it? – we didn't have to get written 15 authorization. 16 Is that the question? 17 BY MR. ROSENBLATT: 18 Q. Whatever your response is. 19 A. Was that the question that you asked? Was 20 that the response? 21 Q. The question was did you ever – 22 A. Get written – 23 MR. ROSENBLATT: Will you repeat the question. 24 (Record read as follows: "Did you obtain 25 written consent from Kat Benzova to use this	Page 151 1 photograph for Nightrain?") 2 MR. GUTMAN: Same objections. Foundation. 3 THE WITNESS: I don't know if this photo was used 4 for Nightrain. I did not get written authorization to 5 use this photo from Kat because I didn't know this was 6 Kat's photo, nor did I need to, from my understanding. 7 MR. ROSENBLATT: Okay. Mark this as 204. 8 (Defendant's Exhibit 204 was marked.) 9 BY MR. ROSENBLATT: 10 Q. Mr. Lebeis, have you ever seen this photograph 11 before today? 12 A. Yes. 13 Q. When? 14 A. Yesterday. 15 Q. Any time before yesterday? 16 A. I don't remember. 17 Q. Do you recognize the people in this 18 photograph? 19 A. Yes, I do. 20 Q. Who are they? 21 A. Axl Rose and Slash. 22 Q. Has this photograph been used in connection 23 with Guns N' Roses merchandising? 24 MR. GUTMAN: Objection. Foundation. 25 THE WITNESS: I don't know.
Page 152 1 BY MR. ROSENBLATT: 2 Q. Has this photograph been used in connection 3 with Guns N' Roses advertising? 4 MR. GUTMAN: Objection. Foundation. 5 THE WITNESS: In an official matter, I don't know. 6 BY MR. ROSENBLATT: 7 Q. What do you believe the words at the bottom, 8 Merida, Guadalajara, Mexico City, and Monterey refer to? 9 A. Cities. 10 MR. GUTMAN: Objection. Foundation. Speculation. 11 THE WITNESS: Cities. 12 BY MR. ROSENBLATT: 13 Q. And above them, you see dates? 14 A. I do. 15 Q. And at the top of this photograph, do you see 16 the Guns N' Roses logo? 17 A. I do. 18 Q. And it says, "GUNS N' ROSES WERE FN" – 19 "WERE" – "WERE" – "WE" – 20 MR. GUTMAN: We see what it says. Just ask a 21 question. 22 MR. ROSENBLATT: I can't read it. I want to get it 23 exactly correct. I think it says, "WERE FN BACK!" 24 Q. Is that the name of a tour? 25 A. Yes.	Page 153 1 Q. Guns N' Roses tour? 2 A. Yes. 3 Q. When did that tour take place? 4 A. I don't remember the dates. 5 Q. Did Guns N' Roses or any entity distribute 6 this photograph? 7 A. I don't know. 8 MR. GUTMAN: Objection. Foundation. 9 THE WITNESS: I don't know. 10 BY MR. ROSENBLATT: 11 Q. Did Guns N' Roses or any entity they 12 controlled or had control over sell merchandise 13 featuring this photograph? 14 MR. GUTMAN: Objection. Compound. Confusing, 15 unintelligible. And – I can't remember where I 16 started. Foundation. 17 THE WITNESS: I don't know. 18 BY MR. ROSENBLATT: 19 Q. Did you personally authorize the use of this 20 photograph for advertising purposes? 21 MR. GUTMAN: Objection. Foundation. 22 THE WITNESS: No. 23 BY MR. ROSENBLATT: 24 Q. Did you obtain written consent from Kat 25 Benzova to use this photograph for merchandising?

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Page 154 1 MR. GUTMAN: Objection. Foundation. 2 THE WITNESS: No. 3 BY MR. ROSENBLATT: 4 Q. Did you obtain written consent from 5 Ms. Benzova to use this photograph for advertising? 6 MR. GUTMAN: Objection. Foundation. 7 THE WITNESS: No. 8 BY MR. ROSENBLATT: 9 Q. Did anyone acting on your behalf obtain 10 written consent from Ms. Benzova for this photograph? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: No. 13 BY MR. ROSENBLATT: 14 Q. To your knowledge, did any Guns N' Roses 15 entity obtain written consent from Kat Benzova for this 16 photograph? 17 MR. GUTMAN: Objection. Foundation. Compound. 18 THE WITNESS: No. 19 BY MR. ROSENBLATT: 20 Q. Did Guns N' Roses generate revenue from 21 advertising featuring this photograph? 22 MR. GUTMAN: Objection. Foundation. 23 THE WITNESS: I don't know. 24 MR. GUTMAN: Speculation. 25 THE WITNESS: I don't know.	Page 155 1 BY MR. ROSENBLATT: 2 Q. Who would know? 3 MR. GUTMAN: Objection. Foundation. Speculation. 4 THE WITNESS: I don't think anyone. 5 BY MR. ROSENBLATT: 6 Q. No one would know if this could generate 7 revenue? 8 MR. GUTMAN: You're arguing his last response. He 9 just answered your question. Ask a new question. 10 BY MR. ROSENBLATT: 11 Q. Would Beta know? 12 MR. GUTMAN: Objection. Foundation. 13 THE WITNESS: I don't know. 14 MR. GUTMAN: Speculation. 15 BY MR. ROSENBLATT: 16 Q. Would Alex Santos know? 17 A. I don't know. 18 MR. GUTMAN: Objection. Foundation. Speculation. 19 BY MR. ROSENBLATT: 20 Q. Would Axl Rose know? 21 MR. GUTMAN: Objection. Foundation. Speculation. 22 THE WITNESS: I don't know. 23 MR. ROSENBLATT: Mark this as 205, please. 24 (Defendant's Exhibit 205 was marked.) 25 MR. GUTMAN: These appear to be duplicates of what
Page 156 1 we looked at yesterday. I think the local rules require 2 that we're supposed to use the same numbering ritual 3 protocol for each of the identical exhibits. So why 4 don't you use the same numbers as you did with the same 5 exhibits yesterday? 6 MR. ROSENBLATT: I believe it's – I don't have the 7 reference. 8 THE REPORTER: Do you want me to pull those out? 9 MR. ROSENBLATT: They could be in a different 10 order, though. Which local rule? 11 MR. GUTMAN: It's part of Local Rule 26, if I'm not 12 mistaken. It's a big section, because there's a 13 procedure that requires that all exhibits be numbered 14 sequentially from throughout the deposition so that no 15 two exhibits are given two exhibit numbers and that 16 there's no gaps in the exhibit numbers. But you already 17 crossed that bridge yesterday when you jumped up to the 18 100 section and I guess today with the 200 section. All 19 right, just proceed. I've noted my objection. You can 20 deal with it if you make it to a Rule 16 conference. 21 MR. ROSENBLATT: Do you want to go off the record 22 and sort it out, or is it okay just to kind of proceed? 23 MR. GUTMAN: We need to use your time a little bit 24 more prudently and judiciously than you did yesterday. 25 We offered to stipulate yesterday he's gonna have the	Page 157 1 same answers to all of these same photographs, unless 2 you have something different. It appears, contrary to 3 your preliminary sort of introductory remarks, that you 4 do intend to harass the witness. So let's just proceed. 5 BY MR. ROSENBLATT: 6 Q. Mr. Lebeis, have you seen any of these 7 photographs in this image? 8 MR. GUTMAN: You're noting Exhibit 205 that has 12 9 photographs featured. 10 MR. ROSENBLATT: Yes. 11 THE WITNESS: Have I seen these before? 12 MR. ROSENBLATT: Yes. 13 THE WITNESS: Yes. 14 BY MR. ROSENBLATT: 15 Q. Do you see these are on mercuryconcerts.com? 16 A. I do see that. 17 MR. GUTMAN: Misstates the evidence. Document 18 speaks for itself. 19 BY MR. ROSENBLATT: 20 Q. Have you seen these before today and before 21 the deposition yesterday? 22 A. No. 23 Q. Did you obtain written consent from Kat 24 Benzova for the use of any of these photographs in 25 connection with Mercury Concerts?

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Page 158 1 MR. GUTMAN: Objection. Foundation. 2 THE WITNESS: No. 3 BY MR. ROSENBLATT: 4 Q. Were these photographs used in any way to 5 promote Guns N' Roses concerts? 6 MR. GUTMAN: Objection. Foundation. 7 THE WITNESS: I don't know. 8 BY MR. ROSENBLATT: 9 Q. Who would know? 10 MR. GUTMAN: I'm sorry, what did you say? 11 MR. ROSENBLATT: "Who would know." 12 MR. GUTMAN: Objection. Foundation. 13 THE WITNESS: Who would know if these photos were 14 used... 15 MR. ROSENBLATT: To promote Guns N' Roses concerts. 16 MR. GUTMAN: Objection. Foundation. And to form. 17 THE WITNESS: Mercury Concerts. 18 BY MR. ROSENBLATT: 19 Q. And did you ever personally distribute these 20 photographs to Mercury Concerts? 21 A. No. 22 MR. ROSENBLATT: This is 206, please. 23 (Defendant's Exhibit 206 was marked.) 24 BY MR. ROSENBLATT: 25 Q. Do you recognize this photograph?	Page 159 1 A. No. 2 Q. Have you seen it before today? 3 A. Yes. 4 Q. Because of the deposition yesterday? 5 A. Correct. 6 Q. Have you seen it prior to the deposition – 7 A. No. 8 Q. – before that? 9 A. No, not that I remember. 10 Q. Do you know what this is the cover for? 11 MR. GUTMAN: I'm sorry, I couldn't hear. 12 (Last question read.) 13 MR. GUTMAN: Objection. Form. Foundation. 14 Assumes a fact. 15 THE WITNESS: This could be a number of things. 16 BY MR. ROSENBLATT: 17 Q. What do you think it could be? 18 MR. GUTMAN: Objection. Foundation. 19 The instructions are don't guess or speculate. 20 If you know, you can answer, but otherwise, don't guess. 21 THE WITNESS: Could be a poster, could be a 22 fan-made image with a historic date on it. 23 BY MR. ROSENBLATT: 24 Q. Do you see the Mercury Concerts symbol at the 25 bottom?
Page 160 1 A. I do. 2 Q. And do you see "GUNSNROSES.COM" to the bottom 3 left? 4 A. Yes. 5 Q. So do you believe this is fan-made, or do you 6 believe this is an official Guns N' Roses photograph? 7 MR. GUTMAN: Objection. Foundation. 8 Argumentative. 9 THE WITNESS: I don't know. 10 BY MR. ROSENBLATT: 11 Q. Was this photograph ever used for any 12 advertising purposes? 13 MR. GUTMAN: Objection. Foundation. 14 THE WITNESS: I don't know. 15 BY MR. ROSENBLATT: 16 Q. Has this photograph been used in connection 17 with any Guns N' Roses merchandise? 18 MR. GUTMAN: Objection. Foundation. 19 THE WITNESS: I don't know. 20 BY MR. ROSENBLATT: 21 Q. Did you obtain the written consent of Katarina 22 Benzova in connection with the use of this photograph? 23 MR. GUTMAN: Objection. Foundation. 24 THE WITNESS: No. 25 MR. ROSENBLATT: Thank you.	Page 161 1 Mark this as Exhibit 207, please. 2 (Defendant's Exhibit 207 was marked.) 3 BY MR. ROSENBLATT: 4 Q. Have you seen this photograph before today? 5 A. No. Oh, yes. 6 Q. At the deposition yesterday? 7 A. Correct. 8 Q. And then, prior to the deposition yesterday? 9 A. No. 10 Q. Do you recognize the person depicted in this 11 photograph? The people depicted in this photograph? 12 MR. GUTMAN: Depicted or that are featured in it. 13 THE WITNESS: Two of them. 14 BY MR. ROSENBLATT: 15 Q. Who are they? 16 A. Slash and Duff McKagan. 17 Q. Has this photograph been used in connection 18 with Nightrain? 19 MR. GUTMAN: Objection. Foundation. 20 THE WITNESS: I don't know. 21 BY MR. ROSENBLATT: 22 Q. Has this photograph been used in connection 23 with Guns N' Roses merchandising? 24 A. I – 25 MR. GUTMAN: Objection. Foundation.

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Page 162 1 THE WITNESS: – don't know. I don't know. 2 BY MR. ROSENBLATT: 3 Q. Has this photograph been used in connection 4 with the promotion of Guns N' Roses concerts? 5 MR. GUTMAN: Objection. Foundation. 6 THE WITNESS: I don't know. 7 BY MR. ROSENBLATT: 8 Q. Has this photo been used in connection with 9 Guns N' Roses advertising? 10 MR. GUTMAN: Objection. Foundation. 11 THE WITNESS: I don't know. 12 BY MR. ROSENBLATT: 13 Q. Did Guns N' Roses have the authority to 14 distribute this photograph? 15 MR. GUTMAN: Objection. Foundation. 16 THE WITNESS: I don't know. 17 BY MR. ROSENBLATT: 18 Q. Did you personally authorize the use of this 19 photograph? 20 MR. GUTMAN: Objection. Assumes a fact. Misstates 21 the evidence. Foundation. 22 THE WITNESS: I don't know. 23 BY MR. ROSENBLATT: 24 Q. Did you obtain written consent from Kat to use 25 this photograph?	Page 163 1 MR. GUTMAN: Objection. Foundation. 2 THE WITNESS: No. 3 BY MR. ROSENBLATT: 4 Q. Did you obtain the written consent from Kat to 5 use this photograph on Nightrain? 6 MR. GUTMAN: Objection. Foundation. 7 THE WITNESS: No. 8 MR. ROSENBLATT: Thank you. 9 Please mark this as 208. 10 (Defendant's Exhibit 208 was marked.) 11 BY MR. ROSENBLATT: 12 Q. Do you recognize this photograph? 13 A. No. 14 Q. Have you seen this photograph before today? 15 A. Yes. 16 Q. At the deposition yesterday? 17 A. Correct. 18 Q. Prior to that? 19 A. No. 20 Q. Do you recognize any of the people in this 21 photograph? 22 A. Yes. 23 Q. Who do you recognize? 24 A. Slash, Duff, Richard, Dizzy Reed. I don't 25 know if that – I don't know who's behind the drums. I
Page 164 1 think that's it. 2 Q. Is it your understanding that Guns N' Roses 3 owns this photograph? 4 MR. GUTMAN: Objection. Foundation. 5 THE WITNESS: I don't know this photo. 6 BY MR. ROSENBLATT: 7 Q. Has this a photograph been used in connection 8 with any Guns N' Roses merchandising? 9 MR. GUTMAN: Objection. Foundation. 10 THE WITNESS: I don't know. 11 BY MR. ROSENBLATT: 12 Q. Has this photograph been used in connection 13 with any Guns N' Roses advertising? 14 THE WITNESS: I don't know. 15 BY MR. ROSENBLATT: 16 Q. Has this photo been used in connection with 17 the prescription service Nightrain? 18 MR. GUTMAN: Objection. Foundation. 19 THE WITNESS: I don't know. 20 BY MR. ROSENBLATT: 21 Q. Did Guns N' Roses have the authority to 22 distribute this photograph? 23 MR. GUTMAN: Objection. Foundation. 24 THE WITNESS: I don't know. 25 ///	Page 165 1 BY MR. ROSENBLATT: 2 Q. Did you personally authorize the use of this 3 photograph? 4 MR. GUTMAN: Objection. Foundation. Assumes 5 facts. 6 THE WITNESS: I don't know. I don't know. 7 BY MR. ROSENBLATT: 8 Q. Did you obtain written consent from Kat to use 9 this photograph for any purpose? 10 MR. GUTMAN: Assumes facts. Objection. 11 Foundation. 12 THE WITNESS: No. 13 BY MR. ROSENBLATT: 14 Q. Did you obtain written consent from Kat to use 15 this photograph on Nightrain? 16 MR. GUTMAN: Objection. Foundation. 17 THE WITNESS: No. 18 BY MR. ROSENBLATT: 19 Q. Did you obtain written consent from Kat to use 20 this photograph for any advertising purpose? 21 MR. GUTMAN: Objection. Foundation. 22 THE WITNESS: No. 23 BY MR. ROSENBLATT: 24 Q. Did you obtain written consent from Kat to use 25 this photograph for merchandising?

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Page 166 1 MR. GUTMAN: Objection. Foundation. 2 THE WITNESS: No. 3 MR. ROSENBLATT: Thank you. 4 Please mark this as 209. 5 (Defendant's Exhibit 209 was marked.) 6 BY MR. ROSENBLATT: 7 Q. Have you seen this photograph before today? 8 A. No. Oh, yes, sorry. 9 Q. It's okay. You saw it at the deposition 10 yesterday? 11 A. Correct. 12 Q. Prior to the deposition yesterday, have you 13 seen this photograph? 14 A. No. 15 Q. Do you recognize the person depicted in this 16 photograph? 17 A. Yeah, Frank. 18 Q. Who's Frank? 19 A. Our drummer. Old drummer. 20 Q. When was he the drummer? 21 A. When was he the drummer? 22 Q. Yeah. 23 A. Up until last year. 24 Q. Has Guns N' Roses ever claimed ownership over 25 this photograph?	Page 167 1 MR. GUTMAN: Objection. Foundation. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Has this photograph been used in connection 5 with the Nightrain subscription service? 6 MR. GUTMAN: Objection. Foundation. 7 THE WITNESS: I don't know. 8 BY MR. ROSENBLATT: 9 Q. Has this photo been used in connection with 10 Guns N' Roses merchandising? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: I don't know. 13 BY MR. ROSENBLATT: 14 Q. Has this photo been used in connection with 15 Guns N' Roses advertising? 16 MR. GUTMAN: Objection. Foundation. 17 THE WITNESS: I don't know. 18 BY MR. ROSENBLATT: 19 Q. Did you obtain written consent from Kat 20 Benzova to use this photo for Nightrain? 21 MR. GUTMAN: Objection. Foundation. 22 THE WITNESS: No. 23 BY MR. ROSENBLATT: 24 Q. Did you obtain written consent from 25 photographer Kat Benzova to use this photograph for
Page 168 1 advertising purposes? 2 MR. GUTMAN: Objection. Foundation. 3 THE WITNESS: No. 4 BY MR. ROSENBLATT: 5 Q. Did you obtain written consent from 6 photographer Katarina Benzova to use this photograph for 7 promotional purposes? 8 A. No. 9 MR. GUTMAN: Objection. Foundation. 10 MR. ROSENBLATT: Thank you. 11 MR. GUTMAN: Can't you just pull out the stack in 12 advance so you don't have to go searching for the next 13 photograph every single time you finish with one? 14 MR. ROSENBLATT: Such a good idea, Alan, thanks. 15 MR. GUTMAN: Unbelievable. I've never seen a 16 deposition conducted in such an unproductive manner. I 17 think that's the objective, is just to harass the 18 witness. 19 MR. ROSENBLATT: 210. 20 I assure you that is not my intent. 21 MR. GUTMAN: Then you would have done it in a 22 proper manner. 23 (Defendant's Exhibit 210 was marked.) 24 BY MR. ROSENBLATT: 25 Q. Have you ever seen this photograph?	Page 169 1 A. Yes. 2 Q. Prior to the deposition yesterday? 3 A. No. 4 Q. Do you recognize who's in the photograph? 5 A. Looks to be like Slash. 6 Q. Do you see at the bottom left of the 7 photograph, it says "Guns N' Roses"? 8 A. Yes. 9 Q. Do you see the website this is on, 10 trendingmexico.com? Can you see that? 11 A. Up top there? 12 Q. Yeah. 13 A. I think so, yeah. 14 Q. Did you authorize this photograph to be used 15 on trendingmexico.com? 16 MR. GUTMAN: Objection. Foundation. 17 THE WITNESS: I don't know. 18 BY MR. ROSENBLATT: 19 Q. Have you ever used this photograph in 20 connection with any Guns N' Roses advertising? 21 MR. GUTMAN: Objection. Foundation. 22 THE WITNESS: I don't know. 23 BY MR. ROSENBLATT: 24 Q. Has this photograph been used in connection 25 with any Guns N' Roses promotion of concerts?

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Page 170 1 MR. GUTMAN: Objection. Foundation. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Has this photograph been used in connection 5 with any Guns N' Roses merchandising? 6 MR. GUTMAN: Objection. Foundation. 7 THE WITNESS: I don't know. 8 BY MR. ROSENBLATT: 9 Q. Did you obtain written consent from the 10 photographer, Kat Benzova, to use this photograph? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: No. 13 BY MR. ROSENBLATT: 14 Q. Did you obtain written consent from the 15 photographer, Kat Benzova, to use this photograph for 16 advertising purposes? 17 MR. GUTMAN: Objection. Foundation. And assumes 18 facts. 19 THE WITNESS: No. 20 BY MR. ROSENBLATT: 21 Q. Did you obtain written consent from 22 Ms. Benzova to use this photograph for merchandising 23 purposes? 24 MR. GUTMAN: Objection. Foundation. And assumes 25 facts.	Page 171 1 THE WITNESS: No. 2 MR. ROSENBLATT: Thank you. 3 211. 4 (Defendant's Exhibit 211 was marked.) 5 BY MR. ROSENBLATT: 6 Q. Have you ever seen this photograph before 7 today? 8 A. Yes. 9 Q. Have you seen this photograph prior to the 10 deposition yesterday? 11 A. No. 12 Q. Do you recognize who is in this photograph? 13 A. Yeah. 14 Q. Has this photograph ever been used in 15 connection with the Guns N' Roses subscription service 16 Nightrain? 17 MR. GUTMAN: Objection. Foundation. Assumes 18 facts. 19 THE WITNESS: I don't know. 20 BY MR. ROSENBLATT: 21 Q. Did Guns N' Roses have the authority to 22 distribute this photograph? 23 MR. GUTMAN: Objection. Foundation. 24 THE WITNESS: I don't know. 25 ///
Page 172 1 BY MR. ROSENBLATT: 2 Q. Do you believe Guns N' Roses owns this 3 photograph? 4 MR. GUTMAN: Objection. Foundation. 5 THE WITNESS: I don't know. 6 BY MR. ROSENBLATT: 7 Q. Did you obtain written consent from the 8 photographer, Katarina Benzova, to use this photograph 9 for Nightrain? 10 MR. GUTMAN: Objection. Foundation. And assumes 11 facts. 12 THE WITNESS: No. 13 BY MR. ROSENBLATT: 14 Q. Did you attribute this photograph to Kat 15 Benzova? 16 MR. GUTMAN: Objection. Foundation. 17 THE WITNESS: I don't know. 18 (Defendant's Exhibit 212 was marked.) 19 BY MR. ROSENBLATT: 20 Q. Okay. Prior to today or yesterday's 21 deposition, have you seen this photograph? 22 A. No. 23 Q. Do you recognize the people in this 24 photograph? 25 A. Yes.	Page 173 1 Q. Who are they? 2 A. Axl Rose and Slash. 3 Q. Did you get written consent from Katarina 4 Benzova to use this photograph for advertising purposes? 5 MR. GUTMAN: Objection. Foundation. Assumes 6 facts. 7 THE WITNESS: No. 8 BY MR. ROSENBLATT: 9 Q. Did you obtain written consent from Katarina 10 Benzova to use this photograph for promotional purposes? 11 MR. GUTMAN: Objection. Foundation. Assumes 12 facts. 13 THE WITNESS: No. 14 BY MR. ROSENBLATT: 15 Q. Do Guns N' Roses have the authority to 16 redistribute this photograph? 17 A. I don't know. 18 MR. GUTMAN: Objection. Foundation. 19 THE WITNESS: I don't know. 20 BY MR. ROSENBLATT: 21 Q. To your knowledge, did any Guns N' Roses 22 entity obtain written consent from Ms. Benzova for this 23 photograph? 24 MR. GUTMAN: Objection. Foundation. Assumes 25 facts.

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Page 174 1 THE WITNESS: I don't know. 2 MR. ROSENBLATT: 213, please. 3 (Defendant's Exhibit 213 was marked.) 4 BY MR. ROSENBLATT: 5 Q. What's your reaction to this photograph? 6 MR. GUTMAN: Objection. Improper form of a 7 question. Argumentative. I'm gonna instruct the 8 witness not to respond. 9 Ask a proper question. 10 BY MR. ROSENBLATT: 11 Q. Have you seen this photo before today? 12 A. This photograph, no. 13 Q. Before today – 14 A. Oh, sorry, sorry. 15 Q. – before the deposition – 16 A. Yeah, sorry. Before the deposition yesterday, 17 no. 18 MR. GUTMAN: And just for the record, there's 19 multiple photographs featured on whatever 213 purports 20 to be. 21 MR. ROSENBLATT: Multiple photographs? 22 THE WITNESS: Yeah, there's a photograph on the top 23 of the thing that's from a wide perspective. 24 BY MR. ROSENBLATT: 25 Q. Okay. Did Guns N' Roses have a concert in Rio	Page 175 1 de Janeiro in 2022? 2 MR. GUTMAN: Objection. Foundation. 3 THE WITNESS: I don't remember. According to here, 4 yes. 5 BY MR. ROSENBLATT: 6 Q. Do you remember if it took place on September 7 8th, 2022? 8 A. I mean, it's what states in the middle of the 9 image, but this is not a Guns N' Roses release. 10 Q. How do you know that? 11 A. This is a bootleg. 12 Q. And how do you know that? 13 A. Because we didn't release anything Rock in Rio 14 from our performance, and this looks like to be a live 15 performance. 16 Q. So Guns N' Roses never authorized a DVD of the 17 Rock in Rio concert from 2022? 18 MR. GUTMAN: Objection. Foundation. 19 THE WITNESS: Not to my recollection. 20 BY MR. ROSENBLATT: 21 Q. So Guns N' Roses never cooperated with Bravado 22 to create a DVD of the Rock in Rio concert in 2022? 23 MR. GUTMAN: Objection. Foundation. 24 THE WITNESS: Not to my recollection. It's 25 bootleg.
Page 176 1 BY MR. ROSENBLATT: 2 Q. Did you obtain written consent from the 3 photographer, Katarina Benzova, to use this photograph 4 in this merchandising? 5 MR. GUTMAN: Objection. Foundation. Assumes 6 facts. 7 THE WITNESS: Guns N' Roses had nothing to do – 8 MR. GUTMAN: Just answer his question. 9 THE WITNESS: No. No. No. 10 MR. ROSENBLATT: 214. 11 (Defendant's Exhibit 214 was marked.) 12 BY MR. ROSENBLATT: 13 Q. Prior to today or yesterday's deposition, have 14 you ever seen this photograph? 15 A. No. 16 Q. Do you recognize the person in this 17 photograph? 18 A. Yes. 19 Q. Does this look like a bootleg photograph to 20 you? 21 MR. GUTMAN: Objection. Argumentative. 22 THE WITNESS: I don't know how to answer that. No. 23 MR. GUTMAN: And foundation. 24 Sorry, go ahead. 25 THE WITNESS: No.	Page 177 1 BY MR. ROSENBLATT: 2 Q. Has this photograph been used in connection 3 with Guns N' Roses advertising? 4 A. I don't know. 5 Q. Has this photograph been used in connection 6 with Guns N' Roses promotional activities for concerts? 7 A. I don't know. 8 MR. GUTMAN: Objection. Foundation. 9 THE WITNESS: Oh, sorry. 10 MR. GUTMAN: Assumes facts. 11 THE WITNESS: I don't know. 12 BY MR. ROSENBLATT: 13 Q. Has this photograph been used in connection 14 with Guns N' Roses merchandising? 15 MR. GUTMAN: Objection. Foundation. Assumes 16 facts. 17 THE WITNESS: I don't know. 18 BY MR. ROSENBLATT: 19 Q. Did you personally authorize the use of this 20 photograph for any purpose? 21 MR. GUTMAN: Objection. Foundation. 22 THE WITNESS: I don't know. 23 BY MR. ROSENBLATT: 24 Q. You may have? 25 MR. GUTMAN: Argumentative. And –

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Page 178 1 THE WITNESS: No. 2 MR. GUTMAN: I don't want to lose my temper right 3 now. Ask your next question. 4 BY MR. ROSENBLATT: 5 Q. Did you obtain written consent from the 6 photographer, Katarina Benzova, to use this photograph 7 for this purpose? 8 MR. GUTMAN: Objection. Foundation. Assumes 9 facts. 10 THE WITNESS: I don't know. 11 BY MR. ROSENBLATT: 12 Q. Did you obtain written consent from the 13 photographer, Katarina Benzova, to use this photograph 14 for advertising? 15 MR. GUTMAN: Objection. Foundation. Assumes 16 facts. 17 THE WITNESS: I don't know. 18 BY MR. ROSENBLATT: 19 Q. Did you obtain written consent from Katarina 20 Benzova to use this photograph for editorial purposes? 21 MR. GUTMAN: Objection. Foundation. Assumes 22 facts. 23 THE WITNESS: I don't know. 24 BY MR. ROSENBLATT: 25 Q. Who would know?	Page 179 1 MR. GUTMAN: Objection. Foundation. Speculation. 2 THE WITNESS: Duff's representative. 3 BY MR. ROSENBLATT: 4 Q. Duff would know? And Duff's representative? 5 MR. GUTMAN: Objection. Foundation. Speculation. 6 He just answered the question. You don't have 7 to repeat the answer back to him. Got your answer. 8 BY MR. ROSENBLATT: 9 Q. What's the name of his representative? 10 A. Brian. 11 Q. What's his last name? 12 A. Klein. 13 Q. Did Guns N' Roses generate any revenue from 14 the use of this photograph? 15 MR. GUTMAN: Objection. Foundation. Speculation. 16 THE WITNESS: I don't know. 17 MR. ROSENBLATT: 215. 18 (Defendant's Exhibit 215 was marked.) 19 BY MR. ROSENBLATT: 20 Q. Have you seen this photograph before? 21 MR. GUTMAN: There's multiple photographs on the 22 page that you've marked as Exhibit 215. Is there one in 23 particular you want him to focus on? 24 MR. ROSENBLATT: The one featuring Axl Rose. 25 MR. GUTMAN: Oh, really?
Page 180 1 THE WITNESS: Before today? 2 BY MR. ROSENBLATT: 3 Q. Before today, the deposition yesterday, did 4 you see it before that? 5 A. So before yesterday, no. Well, yeah, before 6 yesterday, no. 7 BY MR. ROSENBLATT: 8 Q. Are you familiar with Classic Rock magazine? 9 A. I've seen them before. 10 Q. Are you aware of any time that you distributed 11 a photograph to Classic Rock magazine? 12 A. No. 13 MR. GUTMAN: Any photograph, or are you talking 14 about Exhibit 215? 15 MR. ROSENBLATT: Any photograph. 16 THE WITNESS: I don't know. 17 BY MR. ROSENBLATT: 18 Q. Did you distribute this photograph to Classic 19 Rock magazine? 20 MR. GUTMAN: Obviously not, if he's never seen the 21 photograph before. But objection. Foundation. 22 THE WITNESS: I don't know. 23 BY MR. ROSENBLATT: 24 Q. Has this photograph been used in connection 25 with Guns N' Roses advertising?	Page 181 1 MR. GUTMAN: Objection. Foundation. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Has this photograph been used in connection 5 with Guns N' Roses promotional activities? 6 MR. GUTMAN: Objection. Foundation. 7 THE WITNESS: I don't know. 8 BY MR. ROSENBLATT: 9 Q. Has this photograph been used in connection 10 with any Guns N' Roses – for editorial purposes? 11 MR. GUTMAN: Objection. Foundation – 12 THE WITNESS: I don't know. 13 MR. GUTMAN: – and form. 14 THE WITNESS: I don't know. 15 BY MR. ROSENBLATT: 16 Q. Did you obtain written consent from 17 Ms. Benzova to use this photograph for this purpose? 18 MR. GUTMAN: Objection. Foundation. Form. And 19 assumes facts. 20 THE WITNESS: No. 21 BY MR. ROSENBLATT: 22 Q. Did you obtain written consent from 23 Ms. Benzova to use this photograph in Classic Rock 24 magazine? 25 MR. GUTMAN: Objection. Foundation.

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Page 182 1 THE WITNESS: No. I don't know. I don't know. 2 BY MR. ROSENBLATT: 3 Q. Did Guns N' Roses generate revenue from the 4 use of this photograph in Classic Rock magazine? 5 MR. GUTMAN: Objection. Foundation. 6 THE WITNESS: I don't know. 7 MR. ROSENBLATT: 216. 8 (Defendant's Exhibit 216 was marked.) 9 BY MR. ROSENBLATT: 10 Q. Do you recognize this photograph? 11 A. No. 12 Q. Have you seen this photograph prior to today 13 or yesterday's deposition? 14 A. No. 15 Q. Have you ever – has Guns N' Roses ever 16 distributed any photographs to Rolling Stone in 17 Argentina? 18 A. I don't know. 19 Q. Has this photograph been used in connection 20 with any Guns N' Roses advertising? 21 MR. GUTMAN: Objection. Foundation. 22 THE WITNESS: I don't know. 23 BY MR. ROSENBLATT: 24 Q. Has this photograph been used in connection 25 with Guns N' Roses merchandising?	Page 183 1 MR. GUTMAN: Objection. Foundation. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Did Guns N' Roses ever redistribute this 5 photograph? 6 MR. GUTMAN: Objection. Foundation. 7 THE WITNESS: I don't know. 8 BY MR. ROSENBLATT: 9 Q. Did you personally authorize the use of this 10 photograph? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: I don't know. 13 BY MR. ROSENBLATT: 14 Q. Did you obtain written consent from the 15 photographer, Katarina Benzova, to use this photograph 16 in Rolling Stone Argentina? 17 A. I don't know. Oh, sorry. 18 MR. GUTMAN: Objection. Foundation. And assumes 19 facts. 20 THE WITNESS: No. 21 BY MR. ROSENBLATT: 22 Q. Did Guns N' Roses generate any revenue from 23 the use of this photograph in Rolling Stone Argentina? 24 MR. GUTMAN: Objection. Foundation. 25 THE WITNESS: No. Looks like the photo comes from
Page 184 1 a fan club, "@_gnrargentina." It says "Foto: Twitter" 2 and some sort of fan. 3 BY MR. ROSENBLATT: 4 Q. Okay, "gnrargentina"? 5 A. Yeah, it says the credit on the bottom of the 6 photo. 7 Q. Mm-hmm. 8 A. It's a Twitter image by a handle 9 "@_gnrargentina." I don't know who that is. 10 MR. ROSENBLATT: Just a few more. Mark this as 217. 11 (Defendant's Exhibit 217 was marked.) 12 BY MR. ROSENBLATT: 13 Q. Do you recognize this photo? 14 A. Yes. 15 Q. Do you recognize it prior to yesterday's 16 deposition? 17 A. No. 18 Q. Was this not a widely circulated photo of Axl 19 Rose? 20 MR. GUTMAN: Objection. Speculation. Foundation. 21 And form. 22 THE WITNESS: I don't know. 23 BY MR. ROSENBLATT: 24 Q. Has this photograph been used for any 25 merchandising purposes?	Page 185 1 MR. GUTMAN: Objection. Foundation. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Has this photograph been used for any 5 advertising purposes? 6 MR. GUTMAN: Objection. Foundation. 7 THE WITNESS: I don't know. 8 BY MR. ROSENBLATT: 9 Q. Has this photograph been used for any 10 promotional purposes? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: I don't know. 13 BY MR. ROSENBLATT: 14 Q. Did you obtain the written consent from 15 Ms. Benzova before using this photograph for any 16 purpose? 17 MR. GUTMAN: Objection. Foundation. 18 THE WITNESS: No. 19 MR. GUTMAN: Assumes facts. 20 THE WITNESS: No. 21 BY MR. ROSENBLATT: 22 Q. Did Guns N' Roses redistribute this photograph 23 to any third party? 24 MR. GUTMAN: Objection. Foundation. Assumes 25 facts.

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Page 186 1 THE WITNESS: I don't know. 2 BY MR. ROSENBLATT: 3 Q. Did Guns N' Roses generate any revenue from 4 the use of this photograph? 5 MR. GUTMAN: Objection. Foundation. 6 THE WITNESS: I don't know. 7 BY MR. ROSENBLATT: 8 Q. To your knowledge, did any Guns N' Roses 9 entity obtain written consent from Ms. Benzova for this 10 photograph? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: I don't know. 13 MR. GUTMAN: Assumes facts. 14 THE WITNESS: I don't know. 15 MR. ROSENBLATT: 218. 16 (Defendant's Exhibit 218 was marked.) 17 BY MR. ROSENBLATT: 18 Q. Have you seen this photograph? 19 A. I'm sorry? 20 Q. Do you recognize this photograph? 21 MR. GUTMAN: There's more than one photograph 22 featured. You mean any of the photographs in Exhibit 23 218? 24 BY MR. ROSENBLATT: 25 Q. Do you recognize any of these three	Page 187 1 photographs? 2 A. No. 3 Q. Do you think this is a bootleg DVD? 4 MR. GUTMAN: Objection. Foundation. 5 THE WITNESS: I know this to be a bootleg whatever 6 this is. 7 BY MR. ROSENBLATT: 8 Q. Tell me how you know, please. 9 MR. GUTMAN: Objection. Foundation. 10 THE WITNESS: "WWW.BUY.DVDROCKDEPOT.COM," I don't 11 recognize that as a Guns N' Roses partner. 12 BY MR. ROSENBLATT: 13 Q. Would Bravado... 14 MR. GUTMAN: "Would Bravado?" Is that the full 15 question? 16 MR. ROSENBLATT: You're interrupting. I'm about to 17 finish the question, but thank you, Alan. 18 Q. Is it possible that Bravado cooperated with 19 "BUY.DVDROCKDEPOT.COM"? 20 A. No. 21 MR. GUTMAN: Objection – 22 THE WITNESS: Sorry, sorry, sorry, sorry. 23 MR. GUTMAN: It's okay. 24 Objection. Foundation. 25 ///
Page 188 1 BY MR. ROSENBLATT: 2 Q. No? 3 A. No. 4 Q. How do you know it's not possible? 5 MR. GUTMAN: Objection. Foundation. 6 Argumentative. Harassing. 7 THE WITNESS: I've never seen this DVD or whatever 8 this is before today. 9 BY MR. ROSENBLATT: 10 Q. Did you obtain written consent from the 11 photographer, Katarina Benzova, to use this photograph 12 for any merchandising? 13 MR. GUTMAN: I'm certain these questions just 14 exceeds all – 15 THE WITNESS: As it relates to 2018, no, I had 16 nothing to do with whatever this is. 17 MR. GUTMAN: You realize a judge is not gonna allow 18 you to ask these questions – 19 MR. ROSENBLATT: 219. 20 (Defendant's Exhibit 219 was marked.) 21 MR. GUTMAN: – in court. And the rules in a 22 deposition are you're only supposed to ask questions 23 which a judge would allow you to ask in court. You do 24 understand that, right? 25 MR. ROSENBLATT: For the record, there's 156	Page 189 1 photographs at issue in this case, and all we're doing 2 is doing our due diligence to get specifics on each 3 photograph. There's absolutely no intent to harass. I 4 understand it can appear tedious. And we're doing our 5 best, and I appreciate everyone's time and attention. 6 MR. GUTMAN: Well, if a witness hasn't seen a 7 particular photograph, how can you possibly ask him if 8 he knows what's been done with it? 9 MR. ROSENBLATT: You're switching around the facts. 10 We have – he has to examine. Let us just – it doesn't 11 matter. 12 MR. GUTMAN: Yeah, but if he says, "I've never seen 13 this photograph before" then, "Do you know what was done 14 with it," how do I know what is done with something I've 15 never seen before? Anyway, ask your questions. You're 16 using up your clock, and this will all be adjudicated 17 down the road. 18 BY MR. ROSENBLATT: 19 Q. Have you ever seen this photograph? 20 A. No, I have not. 21 Q. Was this photograph ever used on Nightrain? 22 MR. GUTMAN: Objection. Foundation. And my point 23 is, how would he know if it was used on Nightrain if 24 he's never seen it before? But objection is foundation. 25 THE WITNESS: I don't know.

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Page 190 1 BY MR. ROSENBLATT: 2 Q. Have you ever been on Nightrain? 3 MR. GUTMAN: I don't even know what that means. 4 Do you understand what it means, have you been 5 on Nightrain? Is it drinking Night Train, or what? 6 MR. ROSENBLATT: Alan, please. 7 MR. GUTMAN: You know what – 8 MR. ROSENBLATT: Can you restate – 9 MR. GUTMAN: – the comments are appropriate for 10 the – 11 MR. ROSENBLATT: No, it's a – 12 MR. GUTMAN: – absurdity of the questions. 13 MR. ROSENBLATT: – this is an improper speaking 14 objection. 15 MR. GUTMAN: I'm not even objecting. I'm asking a 16 question for clarification. 17 MR. ROSENBLATT: Alan, please. 18 MR. GUTMAN: Excuse me, I asked you previously, do 19 not interrupt me when I am speaking. Show a little 20 civility and courtesy, and I'll show you the same, even 21 though you don't deserve it. 22 Go ahead. 23 THE WITNESS: Can you restate your question? 24 BY MR. ROSENBLATT: 25 Q. Sure. Have you ever been on the Nightrain	Page 191 1 subscription service? 2 A. Once, maybe twice. 3 Q. And it's a part of gunsroses.com? 4 MR. GUTMAN: Objection. Foundation. And form. 5 THE WITNESS: Yeah, I guess. 6 BY MR. ROSENBLATT: 7 Q. You're aware that there's something called 8 Nightrain subscription service that's affiliated with 9 gunsroses.com? 10 MR. GUTMAN: Objection. Foundation, and as to 11 form. 12 THE WITNESS: Yes. 13 BY MR. ROSENBLATT: 14 Q. Are you aware that there's photographs on 15 Nightrain? 16 A. Yes. 17 Q. Are you aware that those photographs are 18 accessible only to subscribers of Nightrain? 19 A. Okay, yes. 20 Q. Have you seen any photographs on Nightrain at 21 any point? 22 A. No. 23 Q. Do you have any control over which photographs 24 go onto Nightrain? 25 MR. GUTMAN: Objection. Foundation.
Page 192 1 THE WITNESS: Go ahead, can you repeat the 2 question? 3 BY MR. ROSENBLATT: 4 Q. Do you have any control over which photographs 5 are reproduced on Nightrain? 6 MR. GUTMAN: Objection as to form. 7 THE WITNESS: No. 8 BY MR. ROSENBLATT: 9 Q. Do you know who has authority over which 10 photos are displayed on Nightrain? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: The three principals, based on their 13 approval process. 14 BY MR. ROSENBLATT: 15 Q. And then who is the person that actually 16 displays them onto the website? 17 MR. GUTMAN: Objection. Foundation. 18 THE WITNESS: The server admin. 19 BY MR. ROSENBLATT: 20 Q. And are you aware that this photograph is on 21 Nightrain? 22 A. No. 23 MR. GUTMAN: Objection. Foundation. 24 THE WITNESS: Sorry. No. 25 ///	Page 193 1 BY MR. ROSENBLATT: 2 Q. Is there a specific criteria about which 3 photographs go on Nightrain as opposed to 4 gunsroses.com? 5 MR. GUTMAN: Objection. Foundation. 6 THE WITNESS: No. 7 BY MR. ROSENBLATT: 8 Q. Is it true that Nightrain photographs 9 predominantly feature back scene – 10 MR. GUTMAN: Objection. Foundation. 11 BY MR. ROSENBLATT: 12 Q. – con – 13 MR. GUTMAN: And form. 14 THE WITNESS: I don't know. 15 BY MR. ROSENBLATT: 16 Q. And I'm just asking because I didn't catch 17 your answer. You're saying you've never been on 18 Nightrain, you've never seen any photographs on 19 Nightrain before? 20 MR. GUTMAN: Misstates the prior testimony. Record 21 speaks for itself. Argumentative. 22 THE WITNESS: Do I respond again? 23 MR. GUTMAN: I guess. Maybe he'll understand – 24 THE WITNESS: Once or twice. 25 MR. GUTMAN: – your answer this time.

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Page 194 1 BY MR. ROSENBLATT: 2 Q. You've been on once or twice? 3 A. On the Nightrain fan club, not the photo 4 sections and so on. 5 Q. Do you know how many subscribers there are to 6 Nightrain? 7 MR. GUTMAN: Objection – 8 THE WITNESS: No, I do not. 9 BY MR. ROSENBLATT: 10 Q. Have you ever told Kat Benzova that there were 11 70,000 subscribers on Nightrain? 12 A. I don't remember. 13 Q. Does this seem like an outlandish number? 14 MR. GUTMAN: Objection. Foundation. 15 Argumentative. 16 THE WITNESS: I don't know. 17 BY MR. ROSENBLATT: 18 Q. Did you obtain Kat's written permission to use 19 this photograph for use on Nightrain? 20 MR. GUTMAN: Objection. Foundation. Assumes 21 facts. 22 THE WITNESS: No. 23 BY MR. ROSENBLATT: 24 Q. Did you obtain Kat's written signature to use 25 this photograph for any advertising purpose?	Page 195 1 MR. GUTMAN: Objection. Foundation. And assumes 2 facts. 3 THE WITNESS: No. 4 MR. ROSENBLATT: Mark this 220. 5 (Defendant's Exhibit 220 was marked.) 6 BY MR. ROSENBLATT: 7 Q. Have you seen this photograph before? 8 A. No. 9 MR. GUTMAN: Just for the record, there's multiple 10 photographs on what you've marked as Exhibit 220. Is 11 there one in particular you want him to look at? 12 MR. ROSENBLATT: There's – any of them. So I 13 think there's one, two, three, four, five, six, seven. 14 MR. GUTMAN: Yeah, one of them has like eight or 15 seven in that one box in the upper right. 16 MR. ROSENBLATT: Yeah, they're different, I think, 17 zooms of the same photograph. 18 Q. Are you familiar with these photo- – 19 MR. GUTMAN: Well, there are different photographs 20 here. So which one do you want him to look at? 21 BY MR. ROSENBLATT: 22 Q. Have you seen this photograph before – 23 MR. GUTMAN: Indicating – 24 BY MR. ROSENBLATT: 25 Q. – today or –
Page 196 1 MR. GUTMAN: Counsel is pointing to the one on the 2 lower left. 3 THE WITNESS: Have I seen this photo before? 4 MR. ROSENBLATT: Yeah. 5 THE WITNESS: Yes. 6 BY MR. ROSENBLATT: 7 Q. Prior to yesterday's deposition? 8 A. Yes, I believe so. 9 Q. Was there a news story around this photograph? 10 Are you aware of any press attention surrounding this 11 photograph? 12 A. No. 13 Q. Did you authorize any takedown notices in 14 connection with this photograph? 15 MR. GUTMAN: Objection. Foundation. 16 And to the extent that you were communicating 17 with counsel, instruction under the attorney-client 18 privilege. But you can answer as long as it doesn't 19 involve any communications with counsel. 20 THE WITNESS: There was a period in time where a 21 publicist suggested to hire a company to issue takedown 22 notices on bully-like images. 23 BY MR. ROSENBLATT: 24 Q. And this is one of the type of images? 25 A. Correct, that looks like to be modified,	Page 197 1 fabricated, and just downright mean. 2 Q. Yeah, disrespectful? 3 A. Mm-hmm. 4 Q. And do you remember the name of the company? 5 A. No, I do not. 6 Q. Were they called Web Sheriff by any chance? 7 A. It sounds familiar. 8 Q. And how did you get in contact with them? 9 A. Again, it was through the publicist at the 10 time – I can't remember her name – that suggested we 11 hire someone, because images such as these are just 12 mean. 13 Q. And this was around 2016, 2017? 14 A. Could be. It could be. I don't know. 15 Q. And to the best of your knowledge, were 16 takedown notices issued in connection with this 17 photograph? 18 A. I would assume so. 19 MR. GUTMAN: We don't want to assume – 20 THE WITNESS: I assume – 21 MR. GUTMAN: – or guess. Just what you know. 22 THE WITNESS: I don't know what the procedure is. 23 BY MR. ROSENBLATT: 24 Q. Do you remember what the outcome was? 25 A. No.

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Page 198 1 Q. Were you able to take down the photograph? 2 A. I believe for the most part, or maybe they 3 just lost interest. 4 MR. ROSENBLATT: Thank you for that. I know that 5 wasn't fun. 6 You guys want to go ten more minutes or take a 7 ten-minute break? 8 THE WITNESS: I'm okay. 9 MR. ROSENBLATT: Mr. Gutman? 10 MR. GUTMAN: Let's keep going. 11 MR. ROSENBLATT: This is 221, please. 12 (Defendant's Exhibit 221 was marked.) 13 BY MR. ROSENBLATT: 14 Q. So is it your current understanding that Guns 15 N' Roses owns all of the photographs taken by Katarina 16 Benzova? 17 A. Yes. 18 MR. GUTMAN: Objection. Foundation. 19 To the extent your understanding is based upon 20 communication with counsel, instruct you not to answer. 21 Otherwise, you can. 22 THE WITNESS: Privileged information. 23 BY MR. ROSENBLATT: 24 Q. Have you ever seen this contract before? 25 A. I don't remember.	Page 199 1 Q. Can you read me the commencement date of the 2 contract? 3 A. August 1st, 2021, to October 3rd, 2021. 4 Q. To the best of your knowledge, did Katarina 5 Benzova sign any written agreement after October 3rd, 6 2021? 7 MR. GUTMAN: Objection. Foundation. 8 THE WITNESS: I don't know. 9 BY MR. ROSENBLATT: 10 Q. Do you believe all the photographs taken after 11 October 3rd, 2021, by Katarina Benzova are owned by Guns 12 N' Roses? 13 MR. GUTMAN: Objection. Foundation. 14 THE WITNESS: Privileged information. My belief is 15 based on a conversation I had with legal. 16 BY MR. ROSENBLATT: 17 Q. Do you see that this contract has a definite 18 duration that ends on October 3rd, 2021? 19 MR. GUTMAN: Objection. Foundation. 20 Argumentative. That's your interpretation. 21 THE WITNESS: It looks to be during a segment of a 22 tour leg. 23 BY MR. ROSENBLATT: 24 Q. Are you aware that the court threw out 25 Gundam's theory of ownership under the work-for-hire
Page 200 1 theory? 2 MR. GUTMAN: Objection. Argumentative. 3 To the extent your knowledge of any of the 4 issues in the case are based upon communications with 5 counsel, instruct you not to answer. 6 THE WITNESS: Privileged. 7 BY MR. ROSENBLATT: 8 Q. Did you have a European tour from June 4th to 9 July 15th in 2022? 10 MR. GUTMAN: I'm sorry, I couldn't hear the 11 beginning of the question. Could you read it back. 12 (Last question read.) 13 THE WITNESS: I don't remember. 14 BY MR. ROSENBLATT: 15 Q. Did you have a South American tour from 16 September 1st to October 21st in 2022? 17 A. I don't remember. 18 Q. Are you familiar with a photographer named 19 Jarmo Luukkonen? 20 A. Yes. 21 Q. Who is Jarmo? 22 MR. GUTMAN: Objection to form. 23 THE WITNESS: Jarmo is a crew member. Friend 24 first, crew member second. 25 ///	Page 201 1 BY MR. ROSENBLATT: 2 Q. How did you meet him? 3 A. He runs a fan website. 4 Q. Is it an authorized website? 5 A. Unauthorized. 6 Q. Does he take photographs of the band? 7 A. I believe he has taken photographs of the 8 band. 9 Q. Does he own the photographs that are taken of 10 the band? 11 MR. GUTMAN: Objection. Foundation. 12 THE WITNESS: I don't know. 13 BY MR. ROSENBLATT: 14 Q. Did Jarmo work under written contracts – 15 MR. GUTMAN: Objection. Foundation. 16 BY MR. ROSENBLATT: 17 Q. – with Guns N' Roses? 18 A. I don't know. 19 Q. Did you ever hire Jarmo personally? 20 MR. GUTMAN: Objection. Foundation and form. 21 THE WITNESS: We gave Jarmo a job. 22 BY MR. ROSENBLATT: 23 Q. What was his job? 24 A. He does ticketing. Guest – band guest 25 ticketing, like our guest list.

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Page 202 1 Q. Okay. So he creates like VIP tickets? 2 MR. GUTMAN: Objection. Speculation. Foundation. 3 Argumentative. 4 THE WITNESS: No. He puts a list together with 5 names and how many tickets they have requested, and then 6 set up a window where our guests can withdraw their 7 tickets. 8 BY MR. ROSENBLATT: 9 Q. Does he travel with the band? 10 A. Yes. With the crew. 11 Q. With the crew. And did Jarmo – I'm just 12 gonna skip his last name. 13 A. Please. 14 Q. Did Jarmo's photographs appear on the Guns N' Roses social media websites? 15 A. I don't know. 16 MR. GUTMAN: Objection. Foundation. 17 THE WITNESS: I don't know. 18 BY MR. ROSENBLATT: 19 Q. Did Jarmo's photographs have the Guns N' Roses watermark on them? 20 MR. GUTMAN: Objection. Foundation. 21 THE WITNESS: I don't know. 22 BY MR. ROSENBLATT: 23 Q. Was he permitted to use his own watermark on	Page 203 1 his own photographs? 2 MR. GUTMAN: Objection. Foundation. 3 THE WITNESS: I don't know. 4 BY MR. ROSENBLATT: 5 Q. Did you allow Jarmo to retain copyright ownership of his photographs? 6 MR. GUTMAN: Objection. Foundation. Assumes a fact. 7 THE WITNESS: I don't know. 8 BY MR. ROSENBLATT: 9 Q. Did you allow Jarmo to distribute his photographs independently? 10 MR. GUTMAN: Objection. Foundation. 11 THE WITNESS: I don't know. 12 BY MR. ROSENBLATT: 13 Q. Has he distributed his photographs independently? 14 A. I don't know. 15 Q. Have you ever seen any of his photographs? 16 A. No. Well, sorry – no. I can't tell if it was his or not. 17 BY MR. ROSENBLATT: 18 Q. Where might you have seen one of his photographs? 19 MR. GUTMAN: Objection. Foundation. Speculation.
Page 204 1 THE WITNESS: It might have been as I'm in the room, looking through photos on his computer. 2 BY MR. ROSENBLATT: 3 Q. Okay. So you've seen photographs on his computer before? 4 A. I can't say I have – 5 MR. GUTMAN: Objection. Misstates the testimony. Argumentative. Foundation. 6 THE WITNESS: I can't say I have not. 7 BY MR. ROSENBLATT: 8 Q. As a photographer, did you treat Jarmo differently than you treated Kat? 9 MR. GUTMAN: Objection. Vague, ambiguous, unintelligible. Foundation. 10 THE WITNESS: I don't know. 11 BY MR. ROSENBLATT: 12 Q. Are you familiar with the photographer Meegan Hodges? 13 A. I know who Meegan Hodges is. 14 Q. Who is she? 15 A. Slash's now wife. I believe they're married. 16 Q. And does she take photographs of the band? 17 A. I believe as a passion project, yeah. 18 Q. A hobby? 19 A. Yeah.	Page 205 1 Q. It's amateur? 2 A. I don't know. 3 MR. GUTMAN: Objection. Argumentative. And foundation. And form. 4 THE WITNESS: I don't have the experience to tell them apart, professional to amateur. 5 BY MR. ROSENBLATT: 6 Q. Is she allowed to photograph Guns N' Roses? 7 MR. GUTMAN: Objection. Foundation. 8 THE WITNESS: Yes. 9 BY MR. ROSENBLATT: 10 Q. If she takes a picture of Guns N' Roses, does she retain the copyright of that photo? 11 MR. GUTMAN: Objection. Compound. Form. Speculation. 12 THE WITNESS: I don't know. 13 BY MR. ROSENBLATT: 14 Q. Have you ever had a written agreement with her? 15 MR. GUTMAN: Objection. Foundation. 16 THE WITNESS: I don't know. 17 BY MR. ROSENBLATT: 18 Q. Has Guns N' Roses ever purchased any photographs from Meegan Hodges? 19 MR. GUTMAN: Objection. Foundation.

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Page 206 1 THE WITNESS: I don't know. 2 BY MR. ROSENBLATT: 3 Q. Has Guns N' Roses ever purchased any 4 photographs from Jarno? 5 MR. GUTMAN: Objection. Foundation. 6 THE WITNESS: I don't know. 7 MR. ROSENBLATT: Let's go off the record for ten 8 minutes. 9 THE VIDEOGRAPHER: Going off record. The time is 10 3:01 p.m. Pacific time. 11 (Recess.) 12 THE VIDEOGRAPHER: We are back on the record. The 13 time is 3:16 p.m. Pacific time. 14 MR. ROSENBLATT: Zach Rosenblatt, back on the 15 record. 16 Q. As manager of Guns N' Roses, do you have a 17 duty to inform your principals if you find out something 18 important about ownership or copyrights? 19 MR. GUTMAN: Is that the end of the question? 20 MR. ROSENBLATT: Mm-hmm. 21 MR. GUTMAN: It sounded like you were still going. 22 The objections to that question, form, 23 foundation, incomplete hypothetical, calls for 24 speculation. 25 THE WITNESS: Yes.	Page 207 1 BY MR. ROSENBLATT: 2 Q. What else do you have a duty to inform them 3 about? 4 MR. GUTMAN: Objection. Foundation. Form. 5 Speculation. Incomplete hypothetical. 6 THE WITNESS: Such as tour dates, merch items, 7 anything that – Guns N' Roses related that uses a song 8 and the logo, I would have to inform them. 9 BY MR. ROSENBLATT: 10 Q. So if you had found out before them, you have 11 a duty to inform your principal? 12 MR. GUTMAN: Objection. Argumentative. And 13 incomplete hypothetical. Foundation. 14 THE WITNESS: Find out what? 15 BY MR. ROSENBLATT: 16 Q. Like if – this is just as an example. Like 17 if you found out someone was doing an unauthorized copy 18 of Welcome to the Jungle and you found out first, you 19 would tell the band? 20 MR. GUTMAN: Objection. Foundation. Speculation. 21 Incomplete hypothetical. Assumes facts. 22 THE WITNESS: As it relates to – I don't think 23 it's the right use of the example because places like 24 YouTube and so on, we already claim ownership because of 25 the way that they foresee music being done. But let's
Page 208 1 just say there's a glass using a Guns N' Roses logo that 2 wasn't properly licensed. I would tell the 3 merchandising company. I wouldn't go to the principals. 4 BY MR. ROSENBLATT: 5 Q. So if you found out that all of the 6 photographs in this case, at issue in this case, are not 7 owned by Guns N' Roses, and you found out for sure, you 8 would tell them? 9 MR. GUTMAN: Objection. Foundation. Incomplete 10 hypothetical. Argumentative. 11 THE WITNESS: I believe that to be privileged. 12 BY MR. ROSENBLATT: 13 Q. So you wouldn't tell them? 14 MR. GUTMAN: Objection. Argumentative. 15 And he's talking about – when the witness 16 said "privileged," he thinks that the information 17 necessary to respond to that question calls upon 18 privileged attorney-client communications. 19 THE WITNESS: Correct. 20 MR. ROSENBLATT: I want to add to the record 222. 21 This is a public document. This is from our case. 22 (Defendant's Exhibit 222 was marked.) 23 MR. ROSENBLATT: Page 46, line 15 through 27 – oh, 24 you know, I think I stapled it incorrectly. 25 MR. GUTMAN: I can't understand what you just said.	Page 209 1 You're mumbling. 2 MR. ROSENBLATT: I think I stapled – does 3 everybody have the correct documents? Because mine is 4 46, 48, and 48, and I believe I made a mistake stapling 5 the documents. 6 MR. GUTMAN: What do you want him to do with it? 7 You're forcing him to look at a joint brief on 8 cross-motions for summary judgment, which is 9 inappropriate. It's a pleading document. So just cut 10 to the chase. What do you want to do here? 11 MR. ROSENBLATT: In this document, Matthew Hess, 12 who's a lawyer at Gutman Law – 13 MR. GUTMAN: You're purporting to represent what 14 this is. Why don't you just ask a question instead of 15 trying to lay a foundation for a document that is 16 inadmissible. 17 MR. ROSENBLATT: I don't know why it would be 18 inadmissible. I'm gonna read something from the record. 19 This is Document 106 – 20 MR. GUTMAN: You're not reading from a record. 21 You're reading from a pleading, which is improper. 22 You're harassing a witness who's here as a fact witness. 23 You don't know what you're doing. So ask your question. 24 Stop harassing the witness. 25 MR. ROSENBLATT: This portion of the document says:

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Page 210 1 "This entire portion of Benzova's motion, 2 which seeks a declaration that she is the 'owner' of the 3 copyrights to certain photographs, asks the Court to 4 adjudicate an issue that is not raised by Plaintiffs' 5 Second Amended Complaint, which asks only the Court for 6 a declaration that Plaintiffs have an implied license to 7 use and distribute ... photographs Benzova was paid to 8 take. Nor is the issue of who owns the copyrights 9 raised in Benzova's Counterclaim. The 'issues on 10 summary judgment are framed by the complaint... a 11 plaintiff cannot oppose summary judgment based on a new 12 theory of liability because it would essentially blind 13 side the defendant with a new legal issue after the bulk 14 of discovery has likely been completed.' 15 "Here, neither side has asked the Court to 16 resolve the issue of who owns the copyrights to 17 Benzova's photographs. In any event, this isn't ... a 18 bona fide dispute." 19 And this is what came up yesterday. I don't 20 have page 47. 21 MR. GUTMAN: I'm so confused. I don't know what 22 you just read, what the purpose of reading that is. 23 What do you want the witness to do? 24 MR. ROSENBLATT: The next line says, "Plaintiffs 25 admit that Benzova owns the copyrights."	Page 211 1 MR. GUTMAN: Okay, so that's what it says in this 2 document. Now what's your question? 3 BY MR. ROSENBLATT: 4 Q. Are you aware that the litigation in this case 5 is not over the ownership of the copyrights that Benzova 6 took? 7 MR. GUTMAN: I'm gonna instruct the witness not to 8 answer because that is clearly something -- any 9 knowledge about this litigation is based upon privileged 10 communications. 11 And you know what, Counsel, you're in 12 violation of so many rules respecting the privilege 13 between attorney-client communications. You don't know 14 what you're doing. You're harassing the witness. It's 15 inappropriate to present a pleading and then present 16 your argument. 17 MR. ROSENBLATT: It's not an argument. 18 MR. GUTMAN: It is your argument. 19 MR. ROSENBLATT: And this is your lawyer's words. 20 I just read that. 21 MR. GUTMAN: Are you insane? Just ask a question. 22 Learn what you're doing. This is ridiculous. It's 23 harassing this individual. And your petty harassment, 24 insisting we show up here for your stupid questions. 25 You don't know what you're doing. Ask a proper
Page 212 1 question, please. 2 BY MR. ROSENBLATT: 3 Q. Are you aware that regardless of the outcome 4 of this case, Benzova is the owner of the copyrights at 5 issue? 6 MR. GUTMAN: Don't answer that question. It's 7 based upon privileged information, privileged 8 communications. 9 "Are you aware regardless of the outcome of 10 this case?" Are you gonna ask some questions? He's a 11 fact witness, not a witness that you try and channel 12 your legal theory through. Ask some fact questions. 13 MR. ROSENBLATT: I'm asking if he's aware that the 14 plaintiffs aren't seeking ownership of the photographs 15 in this case. 16 MR. GUTMAN: And that's called a legal theory, or a 17 contention in a case. I'll give you a case citation for 18 you to look up. Would you like it? All right, just ask 19 your question. I'll object and instruct. Go ahead. 20 We're still waiting. Waiting. 21 BY MR. ROSENBLATT: 22 Q. Is it your present understanding that you're 23 the owner of the photographs that are involved in this 24 case, or a licensee? 25 MR. GUTMAN: Present understanding is irrelevant.	Page 213 1 To the extent it's based upon privileged 2 communications with counsel, any understanding, I would 3 instruct you not to answer based upon attorney-client 4 communications. 5 THE WITNESS: Attorney-client communications. 6 BY MR. ROSENBLATT: 7 Q. Okay. Do you recall participating in a 8 podcast called The War Room in May 2020? 9 A. It wasn't a podcast. 10 Q. What was it? 11 A. A Discord. 12 Q. What's the difference? 13 A. I don't know. I think podcasts are like you 14 go into a studio and you speak to somebody. 15 Q. Okay. It was an interview that was broadcast? 16 A. It wasn't an interview. It was just me in a 17 voiceover IP app. I think it's an application or a 18 program. 19 Q. Was it recorded in Los Angeles? 20 A. It was not recorded. It was voiceover IP, 21 just like a Skype or something similar to. 22 Q. How would you like me to refer, because I have 23 it as -- 24 A. Discord. 25 Q. As a Discord?

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Page 214 1 A. Yeah. 2 Q. Was it a public Discord? Is it available on 3 the Internet? 4 MR. GUTMAN: Objection. Vague and ambiguous. 5 THE WITNESS: I think – yeah, I think it's 6 available to anyone that has, I believe, the name. I 7 don't know how Discord works. 8 BY MR. ROSENBLATT: 9 Q. During that podcast, did you discuss using a 10 photographer's work without permission? 11 MR. GUTMAN: Objection to the predicate. You said 12 "podcast" – 13 MR. ROSENBLATT: Oh. 14 MR. GUTMAN: – and the witness has already said 15 multiple times it wasn't a podcast. 16 To the extent you can answer, please proceed. 17 MR. ROSENBLATT: I'll rephrase. 18 Q. During that Discord, did you discuss using a 19 photographer's work without permission? 20 A. I don't remember. 21 Q. Do you recall saying, "You made that, we love 22 that, my bad I didn't give you credit," end quote? 23 A. I don't remember. 24 Q. Do you know who you were talking about? 25 A. No.	Page 215 1 MR. GUTMAN: Allegedly, assuming that conversation 2 ever occurred or discussion ever occurred. Based upon 3 Counsel's representation. 4 THE WITNESS: Correct. 5 BY MR. ROSENBLATT: 6 Q. Do you recall saying, quote, "I'm so sorry, 7 somebody posted something, and the guys were laughing," 8 end quote? 9 A. No, don't remember the conversation during the 10 Discord – my time in that Discord channel. 11 Q. Do you recall saying, quote, "By the way, we 12 love that photo. You made it for the guys," end quote? 13 A. I don't remember any of the things said during 14 the time I was on that Discord channel. 15 Q. In October 2022, did you terminate 16 Ms. Benzova's services? 17 A. I don't know the date. But I did not 18 terminate. 19 Q. How would you describe? 20 A. I – 21 MR. GUTMAN: Well, hold on, hold on. It's not a 22 proper question. Objection to the form. No foundation. 23 How does he describe what? The end of 24 Ms. Benzova's employment relationship? 25 ///
Page 216 1 BY MR. ROSENBLATT: 2 Q. How do you describe what happened with 3 Ms. Benzova in October 2022? 4 MR. GUTMAN: Well, he just said he didn't know the 5 dates. 6 But do you want to answer the question on how 7 her – 8 A. I don't remember the date. I told her that 9 she was not coming to the following leg and to take the 10 time that she'll need, or that she may need, to deal 11 with whatever, and that we had enough photos and that 12 next year it will be bigger and better. I'm not quoting 13 myself, but something to that regards. 14 And I believe her response was, "If you don't 15 take me, I'm not coming back." 16 And then I believe – I'm paraphrasing. It's 17 a long time ago – I said, "It's completely up to you." 18 So she was never terminated. 19 Q. What word would you like me to use? Can I 20 use – 21 A. Asked her to – 22 MR. GUTMAN: For what? 23 MR. ROSENBLATT: To accurately describe, because he 24 said not terminated. 25 Q. So who made the decision to –	Page 217 1 A. She did. I assume you're saying to terminate. 2 Q. Yeah, I was going to. 3 A. She did. 4 Q. You didn't make the decision? 5 MR. GUTMAN: Objection. Asked and answered. 6 Answer again, if you like. 7 THE WITNESS: Per my recollection, no, I did not 8 terminate her. 9 BY MR. ROSENBLATT: 10 Q. Did Axl Rose make the decision? 11 MR. GUTMAN: Make a decision to do what? 12 MR. ROSENBLATT: To end the services with Katarina 13 Benzova. 14 THE WITNESS: No. 15 MR. GUTMAN: Objection. Misstates and assumes 16 facts. 17 Go ahead. 18 THE WITNESS: I don't know. 19 BY MR. ROSENBLATT: 20 Q. Was Axl aware of everything that was happening 21 with Ms. Benzova in October 2022? 22 MR. GUTMAN: Objection. Assumes facts. And 23 speculation. Foundation. 24 THE WITNESS: He spoke to what he knew yesterday. 25 I don't know.

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Page 218 1 BY MR. ROSENBLATT: 2 Q. What reason did you give Ms. Benzova for the 3 ending of the services? 4 A. I did not end her services. I asked her to 5 sit out on the following tour, which was three weeks or 6 three and a half. 7 Q. Did you tell her it was for budgetary reasons? 8 A. Yes. 9 Q. After Ms. Benzova wasn't invited back, did you 10 hire another photographer? 11 MR. GUTMAN: Objection. Misstates. Argumentative. 12 Foundation. Assumes facts. 13 THE WITNESS: When? 14 MR. ROSENBLATT: After October 2022. 15 THE WITNESS: We did not have a photographer for 16 the following leg, in where – the leg in which I asked 17 her to not participate in. 18 BY MR. ROSENBLATT: 19 Q. Do you have a photographer now? 20 A. Now? Yes. 21 Q. Who is the photographer now? 22 A. Guilherme Neto. 23 Q. And who is that? 24 A. Our photographer. 25 Q. How did he become the photographer?	Page 219 1 A. He's been touring with the band for quite some 2 time. 3 Q. How long have you known him? 4 A. I've known him – I don't know how old he is, 5 but his lifetime. 6 Q. Are you guys related? 7 A. Yes. 8 Q. He's your... 9 A. Cousin. 10 Q. And how much do you pay him? 11 MR. GUTMAN: Objection. Instruct the witness not 12 to answer. Personal privacy. 13 BY MR. ROSENBLATT: 14 Q. After Ms. Benzova didn't return to the leg, 15 did you offer her money in exchange for signing a 16 document? 17 MR. GUTMAN: Objection to the predicate. 18 Misstates. Argumentative. Foundation. 19 THE WITNESS: I instructed Legal to offer her – 20 MR. GUTMAN: Excuse me, any communications you have 21 with Legal are privileged. Instruct you not to respond 22 on any of those communications. If you can just say 23 that – where your role was without disclosing any 24 communications. 25 THE WITNESS: A severance package for loss of wages
Page 220 1 because of her being upset about needing the money that 2 she would have made in the Australia tour. 3 BY MR. ROSENBLATT: 4 Q. Did that document ask her to agree that she 5 had worked continuously from October 21st to October 6 2022? 7 MR. GUTMAN: Objection. Foundation. 8 THE WITNESS: I don't know. 9 BY MR. ROSENBLATT: 10 Q. Had Ms. Benzova in fact worked continuously 11 from August 2021 to October 2022? 12 MR. GUTMAN: Objection. Foundation. 13 THE WITNESS: I don't know. 14 BY MR. ROSENBLATT: 15 Q. Did you have an uninterrupted leg of a tour 16 that lasted from August 2021 to October 2022? 17 A. No. 18 MR. GUTMAN: Objection to form. 19 THE WITNESS: No. 20 BY MR. ROSENBLATT: 21 Q. Why did you ask her to agree that she work 22 continuously from August 2021 to October 2022? 23 MR. GUTMAN: Objection. Assumes facts. 24 Argumentative. Misstates. And foundation. 25 MR. ROSENBLATT: 223, please.	Page 221 1 (Defendant's Exhibit 223 was marked.) 2 BY MR. ROSENBLATT: 3 Q. The second paragraph down states, "You 4 acknowledge and agree that the Services were rendered 5 continuously from August 3, 2021 and have continued 6 through and including October 15, 2022." 7 Do you see that? 8 A. I do. 9 Q. Did Ms. Benzova work continuously from August 10 3rd, 2021, to October 15th, 2022? 11 MR. GUTMAN: Objection. Asked and answered. And 12 foundation. 13 THE WITNESS: I don't know. 14 BY MR. ROSENBLATT: 15 Q. Does the document offer Ms. Benzova \$8,000? 16 MR. GUTMAN: I'm sorry, can I have the question. 17 (Last question read.) 18 MR. GUTMAN: Objection. Foundation. Document 19 speaks for itself. 20 BY MR. ROSENBLATT: 21 Q. Who drafted this document? 22 MR. GUTMAN: Objection. Foundation. 23 THE WITNESS: Legal. 24 BY MR. ROSENBLATT: 25 Q. That's Bernie Gilhuly?

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Page 222 1 A. No. That's "attention." 2 Q. That's what? 3 A. I believe that means "attention" Bernie 4 Gilhuly. It says "care of" and his address and whom 5 this should be delivered to. 6 MR. GUTMAN: All right. Just focus on the 7 question, who drafted it? 8 THE WITNESS: Legal. 9 MR. GUTMAN: Actually, he just asked Bernie 10 Gilhuly – 11 THE WITNESS: No. 12 MR. GUTMAN: – as a question, which doesn't make 13 any sense. You said no. 14 THE WITNESS: No. 15 MR. GUTMAN: Next question. 16 BY MR. ROSENBLATT: 17 Q. Did you ever tell Ms. Benzova that this 18 document was partnership approved? 19 A. I don't remember. 20 Q. Was this document partnership approved? 21 MR. GUTMAN: Objection. Foundation and form. 22 THE WITNESS: It came from our Legal, and it got to 23 her. Looks that way. 24 BY MR. ROSENBLATT: 25 Q. Did you ever provide Kat's photographs to	Page 223 1 third-party media outlets? 2 A. I don't know. I don't know. 3 Q. Did you provide photographs to Classic Rock 4 magazine? 5 MR. GUTMAN: Objection. Foundation. Overbroad. 6 Incomplete hypothetical. 7 THE WITNESS: I don't know. 8 BY MR. ROSENBLATT: 9 Q. Who would know? 10 MR. GUTMAN: Objection. No foundation. Calls for 11 speculation. Argumentative. Harassing. 12 THE WITNESS: If this is during Kat's employment, 13 she would. 14 BY MR. ROSENBLATT: 15 Q. Do you know which photographs are contained in 16 the copyright registrations that are at issue in this 17 case? 18 MR. GUTMAN: Objection. Foundation. 19 THE WITNESS: I do not. 20 MR. GUTMAN: Assumes facts. 21 THE WITNESS: I do not. 22 BY MR. ROSENBLATT: 23 Q. Did you provide any photograph taken by 24 Katarina Benzova to Rolling Stone magazine? 25 A. I don't know.
Page 224 1 BY MR. ROSENBLATT: 2 Q. I have one copy. So I'm gonna describe it and 3 pass it to you. This is a special collector's edition 4 of Rolling Stone magazine. 5 Have you ever seen this? 6 A. I might have had. 7 Q. If you want to look through it, and then I can 8 ask questions about it. 9 MR. GUTMAN: What are your questions? It's 10 improper not to attach – I object to using an exhibit 11 that's not attached because then we don't know what was 12 referred to during the deposition. That's the purpose 13 of attaching exhibits to a record, so that we have a 14 record of the exhibits. You want to refer to specific 15 pages in here? 16 BY MR. ROSENBLATT: 17 Q. Are you aware of any photos taken by Katarina 18 Benzova that were provided to Rolling Stone magazine? 19 A. No. 20 MR. GUTMAN: Asked and answered. Objection. 21 Foundation. 22 BY MR. ROSENBLATT: 23 Q. Did Gundam ever provide this photo to Rolling 24 Stone magazine? 25 MR. GUTMAN: Don't even answer. We're not	Page 225 1 responding to questions where we don't know what the 2 record is referring to. 3 That's an improper way to conduct an 4 examination. You want to make a copy and attach it as 5 an exhibit, do so on the next break. 6 MR. ROSENBLATT: Okay, we'll come back. This is 7 page 70 and 71. 8 MR. GUTMAN: Get your trusted colleague over here 9 to do some work, help you out. 10 BY MR. ROSENBLATT: 11 Q. Have you ever provided any photographs to 12 Ultimate Classic Rock magazine? 13 MR. GUTMAN: Objection. Asked and answered. 14 Foundation. 15 THE WITNESS: I didn't hear the question. 16 BY MR. ROSENBLATT: 17 Q. Did you ever provide any photographs to 18 Ultimate Classic Rock magazine? 19 A. I don't know. 20 Q. Did you ever tell Ms. – 21 Did you ever charge any media outlets for any 22 use of photographs taken by Katarina Benzova? 23 A. I don't know. 24 MR. GUTMAN: Objection. Foundation. 25 THE WITNESS: I don't know.

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Page 226 1 MR. GUTMAN: And form. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Who would know? 5 MR. GUTMAN: Objection. Foundation. Speculation. 6 Argumentative. Harassment. 7 THE WITNESS: I don't know. 8 BY MR. ROSENBLATT: 9 Q. Did you provide any photographs taken by 10 Katarina Benzova to Ernie Ball? 11 A. Me, personally, no. 12 BY MR. ROSENBLATT: 13 Q. Did Team Brazil? 14 A. No. 15 Q. Did Guns N' Roses? 16 MR. GUTMAN: Objection. Foundation. 17 THE WITNESS: Guns N' Roses the brand, the band? 18 MR. GUTMAN: Just – 19 THE WITNESS: Yeah, I don't – 20 MR. GUTMAN: – listen to his question. 21 THE WITNESS: But I – okay. 22 MR. GUTMAN: If you don't understand – 23 THE WITNESS: Yeah, I don't understand the 24 question. I don't under – sorry. 25 MR. GUTMAN: And only testify about what you know.	Page 227 1 Don't guess or speculate. 2 THE WITNESS: I don't understand the question. 3 BY MR. ROSENBLATT: 4 Q. Are you aware that a photograph taken by 5 Ms. Benzova was used by Ernie Ball? 6 MR. GUTMAN: Objection. Foundation. Speculation. 7 Assumes facts. 8 THE WITNESS: Yes. 9 BY MR. ROSENBLATT: 10 Q. Do you know who provided the photo to Ernie 11 Ball? 12 MR. GUTMAN: Objection. Asked and answered. 13 Foundation. 14 THE WITNESS: I don't remember the image used. 15 MR. GUTMAN: The question was do you know who 16 provided the photograph. 17 THE WITNESS: No. 18 MR. GUTMAN: Okay. Thank you. 19 THE WITNESS: You're welcome. It's coming. 20 MR. GUTMAN: Now he's going to show you the 21 picture, and then you'll know who provided it, right? 22 THE WITNESS: Yeah. 23 MR. ROSENBLATT: 234. 24 THE REPORTER: 224, right? 25 MR. ROSENBLATT: 224, sorry.
Page 228 1 MR. GUTMAN: The fun continues. 2 (Defendant's Exhibit 224 was marked.) 3 THE WITNESS: Okay. 4 BY MR. ROSENBLATT: 5 Q. Have you seen this picture before today? 6 A. Yes. 7 Q. Yesterday? Prior to yesterday? 8 A. I don't remember. I don't remember. 9 MR. GUTMAN: Yesterday we saw the actual metal tin. 10 I thought you were going to give us each one, a 11 complimentary one to take home. Can I have that? 12 MR. ROSENBLATT: You can't have it, but you can 13 look at it. 14 MR. GUTMAN: I don't get nothing. That, I'm 15 leaving here today with. It's too big for me. 16 THE WITNESS: No, extra large, they run small. 17 They're narrow. The ugly sweatshirts – yeah, the ugly 18 sweaters, they're not loosey-goosey. 19 BY MR. ROSENBLATT: 20 Q. How do you know they run small? 21 A. I own ugly sweaters. 22 Q. Do you own this one? No offense. I'm not 23 saying this is an ugly sweater. Do you own this 24 sweater? 25 A. Possibly was sent to me. If so, is sitting in	Page 229 1 a storage somewhere. 2 MR. GUTMAN: All right, let's cut out the 3 joviality. I appreciate the levity, but let's get on 4 with the examination. Are you done with the Ernie Ball 5 question? 6 BY MR. ROSENBLATT: 7 Q. Were you aware prior to yesterday that Slash 8 and entered into a merchandising agreement with Ernie 9 Ball? 10 MR. GUTMAN: Objection. Assumes a fact. 11 Foundation. 12 If you know. 13 THE WITNESS: I don't know. 14 BY MR. ROSENBLATT: 15 Q. Are you aware of any written consent obtained 16 from Katarina Benzova for the use of her photograph in 17 that Ernie Ball advertisement? 18 MR. GUTMAN: Objection. Foundation and form. And 19 assumes facts. 20 THE WITNESS: I don't know. 21 BY MR. ROSENBLATT: 22 Q. Did you yourself ever obtain a written consent 23 with Benzova of her photo for Ernie Ball? 24 A. No. 25 Q. Are you aware that this sweater is based –

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Page 230 1 MR. GUTMAN: Again, we got a problem on the record 2 when you just say "this sweater" and we don't have a 3 record of it. So the entire line of testimony is kind 4 of worthless. 5 MR. ROSENBLATT: Can I have you look at it, and 6 then can you pass it to Fernando. 7 MR. GUTMAN: Yeah, And then six months from now or 8 two years from now, whenever we're in a courtroom, how 9 do we know which sweater it was? 10 MR. ROSENBLATT: Well, I'll bring in this sweater. 11 That's why – 12 MR. GUTMAN: How do I trust that you're the 13 custodian of evidence, when we have a court reporter, 14 who, under the Code, has responsibility for maintaining 15 custody of exhibits? That's the way the chain of 16 custody works under the Evidence Code, not based upon 17 you representing. 18 MR. ROSENBLATT: 225. 19 (Defendant's Exhibit 225 was marked.) 20 BY MR. ROSENBLATT: 21 Q. Have you ever seen this photo before today? 22 A. Yes. 23 Q. When? 24 A. Yesterday. I believe this is the photo that's 25 on the back of the bootleg DVD. Is it not? Maybe not.	Page 231 1 Let's go with I don't know. They all look alike. 2 Q. To the best of your knowledge, was this photo 3 ever used for any merchandising purposes? 4 MR. GUTMAN: Everything's to the best of his 5 knowledge, but the objection would be foundation and 6 assumes a fact. 7 THE WITNESS: I don't know. This is the image on 8 the ugly sweater? I don't know. It's been so long. I 9 mean, honestly, I don't know, man. 10 MR. ROSENBLATT: Counsel, does he have permission 11 to examine the sweater? 12 MR. GUTMAN: It's not gonna work because nobody – 13 unless you're gonna give the sweater to the court 14 reporter to maintain custody. And I don't know how we 15 do that. I haven't handled the chain of custody on a 16 sweater before. 17 THE WITNESS: He doesn't want to let go of that. 18 It looks like a nice sweater. 19 BY MR. ROSENBLATT: 20 Q. Is there a sweater on the Guns N' Website 21 that's currently for sale that's a derivative of this 22 photograph? 23 MR. GUTMAN: Objection. Foundation. Speculation. 24 THE WITNESS: I don't know what's available on our 25 online store.
Page 232 1 BY MR. ROSENBLATT: 2 Q. How much do sweaters – 3 How much are sweaters sold for on online 4 stores? 5 MR. GUTMAN: Objection. Foundation. 6 THE WITNESS: I don't know. Off the top of my 7 head, I don't know. 8 BY MR. ROSENBLATT: 9 Q. Is this over \$89.00? 10 MR. GUTMAN: Objection. Speculation. Foundation. 11 Argumentative. He just said he doesn't know. 12 THE WITNESS: I don't know. 13 MR. ROSENBLATT: 226. 14 (Defendant's Exhibit 226 was marked.) 15 BY MR. ROSENBLATT: 16 Q. Sorry, before we get into Exhibit 226, one 17 more question about 225. 18 Did you ever obtain the written consent from 19 Katarina Benzova to use this photograph for any 20 merchandising purpose? 21 MR. GUTMAN: Objection. Foundation. Assumes 22 facts. 23 THE WITNESS: I don't know. 24 BY MR. ROSENBLATT: 25 Q. Did you ever obtain the written permission	Page 233 1 from Katarina Benzova that specifically authorizes the 2 use of this photograph for a sweater? 3 MR. GUTMAN: Objection. Foundation. Assumes 4 facts. 5 And you said you had only one question. That 6 was the second one. 7 THE WITNESS: I don't know. No. 8 MR. ROSENBLATT: Now we're back to 225. 9 MR. GUTMAN: You mean 226? 10 MR. ROSENBLATT: 226. 11 Q. Are you aware that this photograph was used in 12 Rolling Stone magazine? 13 MR. GUTMAN: Objection. Foundation. 14 THE WITNESS: I don't know. 15 BY MR. ROSENBLATT: 16 Q. Have you ever seen this photograph? 17 A. I don't know. 18 Q. Before today, have you ever seen this 19 photograph? 20 A. I don't know. 21 Q. Did you provide this photograph to Rolling 22 Stone magazine? 23 MR. GUTMAN: Objection. Foundation. Assumes 24 facts. 25 THE WITNESS: I don't know.

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Page 234 1 BY MR. ROSENBLATT: 2 Q. Did you obtain Kat's written consent to use 3 this photograph in Rolling Stone magazine? 4 MR. GUTMAN: Objection. Foundation. 5 THE WITNESS: No. 6 BY MR. ROSENBLATT: 7 Q. Do you recognize the person in the picture? 8 MR. GUTMAN: Seriously. 9 THE WITNESS: Yes. 10 BY MR. ROSENBLATT: 11 Q. Was this photograph used for any advertising 12 purposes? 13 MR. GUTMAN: Objection. Foundation. Speculation. 14 THE WITNESS: I don't know. 15 MR. ROSENBLATT: Let's do Exhibit 226. 16 THE REPORTER: 7. 17 MR. GUTMAN: This one is 226. 18 MR. ROSENBLATT: 227, excuse me. 19 (Defendant's Exhibit 227 was marked.) 20 BY MR. ROSENBLATT: 21 Q. Mr. Lebeis, have you ever seen this photograph 22 before today? 23 MR. GUTMAN: It looks like a portion – 24 MR. ROSENBLATT: Yeah. 25 MR. GUTMAN: – of the same photograph from 226.	Page 235 1 THE WITNESS: Yeah, it appears to be the other half 2 of a photo. 3 BY MR. ROSENBLATT: 4 Q. And in the bottom right, can you see it says 5 "Special Collector's Edition Guns N' Roses 71"? 6 A. Yes. 7 Q. Are you aware that this photograph was used by 8 Rolling Stone in a special collector's edition featuring 9 Guns N' Roses? 10 MR. GUTMAN: Objection. Foundation. 11 THE WITNESS: No. 12 BY MR. ROSENBLATT: 13 Q. Did you obtain Ms. Benzova's written consent 14 that authorized the use of this photograph in Rolling 15 Stone magazine? 16 MR. GUTMAN: It's the same photograph. So it's the 17 same question. So it would be the same objections, 18 foundation and assumes a fact. 19 THE WITNESS: No. 20 MR. ROSENBLATT: I should have ordered two. I 21 should have ordered two. 22 Q. Did Guns N' Roses tell Rolling Stone that they 23 needed Ms. Benzova's permission prior to publishing her 24 photograph? 25 MR. GUTMAN: Objection. Foundation. Assumes
Page 236 1 facts. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Who would know? 5 MR. GUTMAN: Objection. Argumentative. 6 Foundation. Harassing. 7 THE WITNESS: I don't know. 8 BY MR. ROSENBLATT: 9 Q. Who do you think approved of the photo 10 that's – I guess we can call it 226 and 227, one 11 photograph? 12 MR. GUTMAN: Who does he think? You want him to 13 guess? 14 BY MR. ROSENBLATT: 15 Q. Who did approve of that photo? 16 MR. GUTMAN: Foundation. He already stated he 17 doesn't know. 18 BY MR. ROSENBLATT: 19 Q. Did Guns N' Roses receive compensation from 20 Ernie Ball for providing the photographs? 21 MR. GUTMAN: Objection. Foundation. Assumes 22 facts. Misstates the record. 23 THE WITNESS: I don't know. 24 BY MR. ROSENBLATT: 25 Q. Did Guns N' Roses provide Ms. Benzova's	Page 237 1 photograph to Fender Musical Instruments Corporation? 2 MR. GUTMAN: Objection. Foundation. Assumes 3 facts. 4 THE WITNESS: Yes. 5 MR. GUTMAN: It sounds like you're guessing. Did 6 Guns N' Roses provide the photograph to Fender? Do you 7 know? 8 THE WITNESS: I know there was a Fender – 9 something to do with Duff, but that would be more of a 10 Duff-through-Brian-Klein question, as it relates to 11 Denver – I mean, Fender. And as it relates to Slash, 12 it would be more equipped to go to Jeff Vamer via 13 Slash. 14 BY MR. ROSENBLATT: 15 Q. But you were still aware that Duff made a deal 16 with Fender? 17 MR. GUTMAN: Objection. Argumentative. 18 Foundation. And form. 19 THE WITNESS: I don't remember the deal, as you 20 say. 21 BY MR. ROSENBLATT: 22 Q. Did Duff obtain Kat's written signature prior 23 to giving the photograph to Fender? 24 MR. GUTMAN: Objection. Foundation. Speculation. 25 THE WITNESS: I don't know.

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Page 238 1 BY MR. ROSENBLATT: 2 Q. Did you obtain Kat's written signature for the 3 purpose of using the photograph with Fender? 4 MR. GUTMAN: Objection. Foundation. 5 THE WITNESS: I don't know. 6 BY MR. ROSENBLATT: 7 Q. Who would know? 8 MR. GUTMAN: Objection. Foundation. 9 Argumentative. And harassment. It's an improper 10 question. Ask a proper question. 11 THE WITNESS: I don't understand the question. 12 BY MR. ROSENBLATT: 13 Q. Do you not recall, or you simply don't know? 14 MR. GUTMAN: Now you're harassing the witness – 15 MR. ROSENBLATT: I'm really not harassing. 16 MR. GUTMAN: – and you're very – 17 I'm sorry, I didn't want to keep speaking 18 while you were busy interrupting me. Are you done? 19 BY MR. ROSENBLATT: 20 Q. Did you provide Ms. Benzova's photograph to 21 HYT watch company? 22 MR. GUTMAN: Objection. Foundation. And assumes a 23 fact. 24 THE WITNESS: I don't remember. 25 ///	Page 239 1 BY MR. ROSENBLATT: 2 Q. Did you obtain Kat's written signature for the 3 purpose? 4 A. Kat supplied the photo to HYT. 5 Q. When was that? 6 A. I don't remember. 7 Q. Did you tell HYT that Kat owned the 8 photograph? 9 A. No. 10 Q. Did you tell HYT that Guns N' Roses owned the 11 photograph? 12 A. No. 13 Q. Did HYT ask, "Who owns the photograph that 14 we're gonna use in this advertising campaign?" 15 A. No. Or I don't remember. 16 MR. GUTMAN: 228. 17 (Defendant's Exhibit 228 was marked.) 18 BY MR. ROSENBLATT: 19 Q. Is it your understanding that Guns N' Roses 20 owns these three photographs that are involved in the 21 HYT advertising campaign? 22 MR. GUTMAN: Objection. Foundation. Legal 23 conclusion. 24 THE WITNESS: What was your question? Sorry. 25 MR. ROSENBLATT: Will you repeat the pending
Page 240 1 question, please. 2 (Last question read.) 3 THE WITNESS: Yes. 4 BY MR. ROSENBLATT: 5 Q. For that reason, did you ever seek out written 6 consent from Katarina Benzova to use these photographs 7 in the HYT watch campaign? 8 MR. GUTMAN: Objection. Foundation. And the 9 qualifier at the beginning, argumentative. 10 THE WITNESS: Kat supplied these photos. 11 BY MR. ROSENBLATT: 12 Q. Directly to HYT? 13 A. I believe so. I don't remember. 14 MR. ROSENBLATT: Okay, I have some questions about 15 Nightrain. If they overlap with things before, I'm not 16 trying to harass you, I'm just trying to be thorough. 17 MR. GUTMAN: I thought we did one on Nightrain 18 already. I can tell you exactly what he said. He's 19 been on the website once or twice, doesn't recall 20 looking at any photographs. All right? Next. 21 BY MR. ROSENBLATT: 22 Q. Does Nightrain provide exclusive photographs 23 to members? 24 MR. GUTMAN: Objection. Foundation. 25 THE WITNESS: I believe yes.	Page 241 1 BY MR. ROSENBLATT: 2 Q. Are Ms. Benzova's photographs included in the 3 Nightrain content? 4 MR. GUTMAN: Objection. Foundation. 5 THE WITNESS: I don't know. 6 BY MR. ROSENBLATT: 7 Q. Did you obtain Ms. Benzova's permission to use 8 her photographs on Nightrain? 9 MR. GUTMAN: Objection. Assumes facts. 10 Foundation. 11 THE WITNESS: I don't know. 12 BY MR. ROSENBLATT: 13 Q. Did you pay Kat for use of her photographs on 14 Nightrain? 15 MR. GUTMAN: Objection. Foundation. Assumes 16 facts. 17 THE WITNESS: I don't know. 18 BY MR. ROSENBLATT: 19 Q. How much revenue does Nightrain generate 20 annually? 21 MR. GUTMAN: Objection. Foundation. 22 Also instruct the witness not to answer based 23 on privacy. 24 BY MR. ROSENBLATT: 25 Q. Who receives the revenue from Nightrain?

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Page 242 1 MR. GUTMAN: Objection. Foundation. 2 And instruct the witness not to answer. 3 Privacy. 4 BY MR. ROSENBLATT: 5 Q. Does Axl Rose receive revenue from Nightrain? 6 MR. GUTMAN: Objection. Foundation. Privacy. 7 Instruct not to answer. 8 BY MR. ROSENBLATT: 9 Q. Do you receive any revenue from Nightrain? 10 MR. GUTMAN: Objection. Foundation. And privacy. 11 Instruct you not to answer. 12 BY MR. ROSENBLATT: 13 Q. Does Team Brazil receive revenue from 14 Nightrain? 15 MR. GUTMAN: Objection. Foundation. And privacy. 16 Instruct you not to answer. 17 BY MR. ROSENBLATT: 18 Q. Do the Gundam entities receive revenue from 19 Nightrain? 20 MR. GUTMAN: Objection. Foundation. Privacy. 21 Instruct you not to answer. 22 BY MR. ROSENBLATT: 23 Q. Mr. Lebeis, did you understand that using 24 Kat's photographs on a paid subscription service without 25 her permission was copyright infringement?	Page 243 1 MR. GUTMAN: Objection. Foundation. 2 Argumentative. Assumes facts. 3 THE WITNESS: I don't know. 4 BY MR. ROSENBLATT: 5 Q. Did you believe that you had the right to use 6 her photographs on Nightrain? 7 MR. GUTMAN: Objection. Foundation. Calls for a 8 legal conclusion. 9 THE WITNESS: I don't know. 10 BY MR. ROSENBLATT: 11 Q. Did any attorney advise you that you had the 12 right to use her photographs on Nightrain without her 13 permission? 14 MR. GUTMAN: I'm going to instruct the witness not 15 to answer. 16 I'm going to urge Counsel to please refrain 17 from inappropriate and unprofessional conduct. "Did any 18 attorney advise you," you know that's privileged. Start 19 acting professionally. 20 BY MR. ROSENBLATT: 21 Q. Do you understand what copyright infringement 22 is? 23 MR. GUTMAN: Oh, my God. We asked these identical 24 questions this morning. 25 MR. ROSENBLATT: No, we didn't.
Page 244 1 MR. GUTMAN: You're just recycling through the same 2 questions that are mindless. Look, you're wasting a lot 3 of time here. Start asking some relevant questions, or 4 it's apparent to me that you're done, because you're 5 just harassing the witness. You asked about copyright 6 infringement, you asked about intellectual property, you 7 asked him if knew what patents were. You got a fact 8 witness here. You're not trying to feed your dimwitted 9 argument into the record here. 10 MR. ROSENBLATT: 229. 11 (Defendant's Exhibit 229 was marked.) 12 BY MR. ROSENBLATT: 13 Q. Did you ever use WhatsApp to communicate with 14 Kat? 15 A. Yes. 16 Q. Are these dates and times that you 17 communicated with Kat? 18 A. I don't know. 19 MR. GUTMAN: Let the record reflect – hold on, 20 hold on, hold on. We have a three, four, five, six, 21 seven, eight, nine, ten – ten-and-a-half page, 22 single-spaced document that Counsel has presented. It's 23 got no indicia of what the foundation is, hasn't been 24 authenticated. 25 And so the first question is, are these what?	Page 245 1 A record of WhatsApp communications? 2 MR. ROSENBLATT: Mm-hmm. 3 MR. GUTMAN: Do you – 4 MR. ROSENBLATT: You can you take your time, 5 Mr. Lebeis. We're not in a rush. 6 MR. GUTMAN: We're gonna do it in a proper way. 7 Do you have the ability right now to look at 8 this ten-and-a-half-page document and determine that 9 this is an accurate record of all your WhatsApp 10 communications with – 11 THE WITNESS: No. 12 MR. GUTMAN: – Kat Benzova? 13 THE WITNESS: No. 14 MR. GUTMAN: Okay, next question. 15 MR. ROSENBLATT: Alan, please. 16 MR. GUTMAN: No, you, please. 17 MR. ROSENBLATT: No, Alan. 18 MR. GUTMAN: Ask your question. You don't know 19 what you're doing, and you're wasting time, you're 20 harassing the witness, and you've really exhausted me. 21 MR. ROSENBLATT: Please look through the document. 22 MR. GUTMAN: I didn't hear what you just said. 23 MR. ROSENBLATT: I said please examine the 24 document. 25 MR. GUTMAN: At the end of the document, the last

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Page 246 1 page? Is that what you said? 2 MR. ROSENBLATT: I said please examine the 3 document. 4 MR. GUTMAN: I don't understand what "examine" it 5 is. It's printed words on a piece of paper. What do 6 you want him to do? He's not gonna sit here and read a 7 ten-and-a-half-page document. 8 MR. ROSENBLATT: This is a record of all of your 9 communications with Katarina Benzova on WhatsApp. 10 MR. GUTMAN: You claim that is what it is. How do 11 we know that that's what it is? 12 BY MR. ROSENBLATT: 13 Q. Did you begin communicating with Katarina 14 Benzova on WhatsApp in April of 2012? 15 A. I don't remember. 16 Q. Did you communicate with Kat Benzova in 17 November of 2012? 18 A. I'm sorry? 19 Q. Did you communicate with Kat Benzova in 20 WhatsApp in November 21st, 2012? 21 MR. GUTMAN: November 21st, 2012? 22 THE WITNESS: I don't remember. 23 BY MR. ROSENBLATT: 24 Q. Did you communicate with Kat Benzova on April 25 10th, 2016, using WhatsApp?	Page 247 1 A. I don't remember. 2 Q. Does this appear to be a true record of all of 3 your communications with Kat Benzova on WhatsApp? 4 MR. GUTMAN: Try it another way. He's not even 5 gonna to look at the document. You have no way to 6 authenticate it. He already told you he can't 7 authenticate it. For all I know, you're the one who 8 doctored this whole thing up. I have never seen a 9 document in this format. I've seen WhatsApp printouts 10 before. I don't know what you did here, Counsel, but 11 this is not the proper way to go about it. 12 MR. ROSENBLATT: Are you instructing him not to 13 answer? 14 MR. GUTMAN: He's not gonna answer that question, 15 correct. 16 MR. ROSENBLATT: Are you instructing him not to 17 answer? 18 MR. GUTMAN: I thought I just did. All right. 19 MR. ROSENBLATT: Will you repeat the pending 20 question. 21 (Last question read.) 22 THE WITNESS: I don't know. 23 MR. GUTMAN: Next question, Counsel. You got Kat's 24 phone? You want to bring that in? 25 MR. ROSENBLATT: Mark this 230.
Page 248 1 (Defendant's Exhibit 230 was marked.) 2 MR. GUTMAN: For the record, 230 appears to be some 3 communications that are doctored up, cut-and-paste onto 4 one piece of page, presumably by Counsel. So we don't 5 know if these are – 6 MR. ROSENBLATT: For the record – 7 MR. GUTMAN: – in any sequence. No, you've put a 8 January 10 and a January 11, 2017, document on the same 9 page. We don't know if there's more communications 10 between or what the previous context is. So what you've 11 done is created a document that is, on its face, 12 fictional, okay? That's what I wanted to state on the 13 record. 14 MR. ROSENBLATT: For the record, Mr. Gutman has 15 suggested that I have doctored two documents in the last 16 ten minutes, one being an e-mail exchange between 17 Fernando Lebeis and Katarina Benzova on January 10th, 18 2017, and January 11th, 2017, and Mr. Gutman also 19 suggested on the record that a full record of every 20 single WhatsApp communication between Fernando Lebeis 21 and Kat Benzova since April 22nd, 2012, until October 22 23rd, 2002 [sic], was somehow doctored and manufactured 23 by me. And we just completely reject any such 24 assertion. 25 MR. GUTMAN: Okay, good. Then why don't you	Page 249 1 present the evidence in a way that can be authenticated 2 and possibly relied upon. But the way that it's 3 presented, I have no way of telling. So now we're 4 looking at 230. Why don't you proceed with your 5 questions. 6 BY MR. ROSENBLATT: 7 Q. Do you remember writing this e-mail, Fernando? 8 MR. GUTMAN: There's two e-mails on here. Which 9 one? 10 MR. ROSENBLATT: The one from Fernando. 11 MR. GUTMAN: Well, why don't we start, does that 12 appear to be an e-mail from you? 13 THE WITNESS: I don't know. It appears to be. 14 BY MR. ROSENBLATT: 15 Q. In this e-mail, did you talk to Kat about 16 credit, a DVD, a photo exhibition, and a book and any 17 video and media? 18 MR. GUTMAN: Objection. Document speaks for 19 itself. 20 THE WITNESS: Based on what I'm seeing, yeah. 21 BY MR. ROSENBLATT: 22 Q. And under "Book," does the document say 23 "profit share on a per book sold" basis? 24 MR. GUTMAN: Well, the word "basis" isn't there, 25 but the rest of what you read is correct.

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Page 250 1 THE WITNESS: In association to a coffee table 2 book. If we were ever to make one, that was the – yes. 3 BY MR. ROSENBLATT: 4 Q. And is it your understanding that Kat Benzova, 5 on her own, doesn't have the right to publish a coffee 6 book table [sic]? 7 MR. GUTMAN: Objection. Calls for a legal 8 conclusion. Foundation. 9 THE WITNESS: I don't know. 10 BY MR. ROSENBLATT: 11 Q. At the time of this e-mail, did you think that 12 she had the right, on her own, to create a coffee 13 book – 14 MR. GUTMAN: Objection – 15 BY MR. ROSENBLATT: 16 Q. – coffee table book? 17 MR. GUTMAN: Objection. Calls for a legal 18 conclusion. 19 THE WITNESS: I don't know. 20 BY MR. ROSENBLATT: 21 Q. Did you ever prevent Kat from exploiting her 22 photos on her own? 23 MR. GUTMAN: Objection. Form and foundation. 24 THE WITNESS: I don't remember. 25 ///	Page 251 1 BY MR. ROSENBLATT: 2 Q. Under "DVD" it says, "I am meeting the DVD guy 3 tomorrow." 4 Which DVD are you referring to? 5 A. Never got released. So it never happened. 6 Q. That's not the Rock In Rio DVD? 7 A. That was a bootleg DVD. 8 MR. GUTMAN: From 2022, if I recall. So you met 9 the guy possibly five years ahead. 10 BY MR. ROSENBLATT: 11 Q. And what about the photo exhibition? What 12 happened there? 13 A. I don't remember the idea behind the photo 14 exhibition being discussed here. 15 Q. So for the record, it says, "Photo Exhibition, 16 would be a profit share; where you will get a percentage 17 of per photo sold. Will work on the number next week or 18 maybe by the end of the week. (Keep in mind, once you 19 get into profit share; salary/payment for putting the 20 exhibition together is forewent.)" 21 MR. GUTMAN: Is that a question? 22 BY MR. ROSENBLATT: 23 Q. I'm just asking, so what does that refer to? 24 Were you guys in the plans of making an exhibition? 25 A. I don't recall. However, I do believe there
Page 252 1 was an idea to have a photo exhibition travel with the 2 band during our tour, and whatever print was sold, after 3 expenses, would then be into a profit share. 4 Q. I'm just trying to clarify what you said. 5 A traveling exhibition? So it would travel 6 with the band on tour? 7 A. Correct. 8 Q. And that would be located like at the 9 concerts? 10 A. Correct. 11 Q. And whose idea was that? 12 A. I don't remember. 13 Q. Did it ever happen? 14 A. No. 15 Q. Why not? 16 MR. GUTMAN: Objection. Speculation. 17 THE WITNESS: There was a lot of other things 18 happening. 19 BY MR. ROSENBLATT: 20 Q. What were the other things? 21 A. A lot of moving parts. 22 Q. Can you be more specific, please? 23 MR. GUTMAN: Objection. Foundation. 24 Argumentative. Speculation. 25 THE WITNESS: A traveling band consists of a lot of	Page 253 1 moving parts, and adding a photo exhibition with X 2 amount of photos to carry, package, rent a room, 3 et cetera, it was just one too many cogs on the machine. 4 BY MR. ROSENBLATT: 5 Q. Did you ever reach out to any printers for the 6 prints? 7 A. We wouldn't carry prints. We would carry one 8 master print, the idea, and then ship to consumer 9 whatever picture is chosen. 10 Q. And do you know where that – where the master 11 print would be and where – 12 A. No. 13 Q. – where the print – 14 A. It didn't get that far. 15 Q. How did you know to do that? 16 A. To do what? 17 Q. To get one master print and then ship it 18 towards every potential traveling exhibition? 19 MR. GUTMAN: It's completely irrelevant. Not 20 reasonably calculated to lead to the discovery of 21 admissible evidence. 22 If you know. 23 THE WITNESS: I don't understand the question. 24 BY MR. ROSENBLATT: 25 Q. Did you discuss this plan with Kat?

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Page 254 1 MR. GUTMAN: What plan? Something that never 2 happened with a printer? What plan? 3 MR. ROSENBLATT: Would you repeat the pending 4 question. 5 MR. GUTMAN: "Did you discuss this plan with Kat?" 6 (Last question read.) 7 THE WITNESS: Which plan? 8 MR. ROSENBLATT: Regarding the master print and 9 then shipping them to each tour location. 10 MR. GUTMAN: Misstates the testimony. 11 Go ahead. 12 THE WITNESS: It didn't get that far. 13 MR. GUTMAN: How are you doing? You okay? 14 THE REPORTER: I could use a break. 15 MR. ROSENBLATT: Let's take a break. 16 THE VIDEOGRAPHER: Off the record. The time is 17 4:20 p.m. Pacific time. 18 (Recess.) 19 THE VIDEOGRAPHER: We are back on the record. The 20 time is 4:35 p.m. Pacific time. 21 MR. ROSENBLATT: 231. 22 (Defendant's Exhibit 231 was marked.) 23 BY MR. ROSENBLATT: 24 Q. Mr. Lebeis, did you ever promise Kat a bonus? 25 A. I don't remember. I don't know.	Page 255 1 Q. Did you ever tell Kat that Bravado was gonna 2 pay her? 3 A. I don't remember. 4 Q. And were you planning on releasing three more 5 books with Bravado at any point in time? 6 A. I believe -- according to here, yes. I 7 believe these are tour boo- -- or tour programs. 8 Q. What's a tour program? 9 A. Another word for tour books. 10 Q. And you sell those at the concert? 11 A. I believe there was one tour leg that we did 12 sell. 13 Q. Which tour leg? 14 A. I don't remember. 15 Q. Do you remember how much they sold for? 16 A. No. 17 Q. Is it different for each country you go to, or 18 is there kind of a stable price? 19 A. I don't know which region we made it 20 available, but it's usually dictated by taxes and so on, 21 and quality control. 22 Q. Do you get all the tour books printed in one 23 place and then distribute it out? 24 MR. GUTMAN: Objection. Foundation. 25 THE WITNESS: No, because I believe that would cost
Page 256 1 way too much. But if it's in the U.S. and you get one 2 place and you carry it to a certain extent. 3 BY MR. ROSENBLATT: 4 Q. Can you clarify a little more for me? 5 A. We make enough to carry X amount of boxes, 6 because a merchandising company will have a specific 7 amount of space on the tour truck that's used by tour 8 production. 9 Q. And you would cooperate with Bravado when it 10 comes to these -- 11 A. Bravado would cooperate with the production 12 manager at the time. 13 Q. And Bravado handles -- 14 Who produces the tour books? 15 A. Bravado. 16 Q. And who would have given Bravado the 17 photographs to create the tour books? 18 MR. GUTMAN: Objection. Foundation. 19 THE WITNESS: I believe Katarina would provide a 20 Dropbox with approved photos of principals and band 21 members. 22 BY MR. ROSENBLATT: 23 Q. So the principals would have to approve the 24 photos before they would go to Bravado? 25 MR. GUTMAN: Objection. Foundation. Misstates.	Page 257 1 Argumentative. 2 THE WITNESS: Katarina would take photos of each 3 specific principal and get it approved and put on a 4 approved folder. That approved folder may consist of 5 photos for media, photos for Nightrain, photos for 6 social media. It was all not organi- -- organized by 7 Kat. 8 BY MR. ROSENBLATT: 9 Q. Did you invite Kat to negotiate with Bravado 10 for the tour books? 11 MR. GUTMAN: Objection to form. 12 THE WITNESS: No. 13 BY MR. ROSENBLATT: 14 Q. Did you negotiate with Bravado regarding the 15 tour books? 16 A. No. 17 Q. Who did? 18 A. No one. I'm sorry. 19 Q. No one? How is that possible? 20 A. It's an item available for purchase. 21 Q. It's an... 22 A. It's an item available to purchase, much like 23 a T-shirt. 24 Q. Okay. So it's part of a preceding deal? 25 MR. GUTMAN: Objection. Foundation.

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Page 258 1 THE WITNESS: It's an item available to purchase. 2 We may have 15 items available to purchase, which one of 3 them, in this case, was a tour book or a tour program, 4 whatever you want to call it. 5 BY MR. ROSENBLATT: 6 Q. In November 2016, were you in Buenos Aires at 7 a hotel bar at night? 8 A. I don't remember. 9 Q. Was Ms. Benzova present? 10 A. I don't remember. 11 Q. Did you physically touch Ms. Benzova that 12 night? 13 MR. GUTMAN: The night he can't recall that you 14 just asked about? When you say "that night," November 15 of 2016? 16 MR. ROSENBLATT: 2016 in Buenos Aires. 17 THE WITNESS: Did I physically touch Katarina? 18 MR. ROSENBLATT: Yes. 19 THE WITNESS: If she would have came and gave me a 20 hug, I guess I would physically touch her. 21 BY MR. ROSENBLATT: 22 Q. Did you try to kiss her? 23 A. Every time Katarina would come and say hi to 24 me, she would either kiss me on the cheek or the lips, 25 as a friendly gesture.	Page 259 1 Q. Did she consent to being – so she – 2 Did she consent to being kissed? 3 A. She kissed me. 4 Q. And what was her reaction? 5 MR. GUTMAN: She's the initiator. So – 6 THE WITNESS: "Happy to see you." 7 MR. GUTMAN: – what's his reaction? 8 BY MR. ROSENBLATT: 9 Q. Did she push you away? 10 MR. GUTMAN: Objection. Argumentative. 11 Misrepresents the testimony. 12 THE WITNESS: No. 13 BY MR. ROSENBLATT: 14 Q. Did she tell you to stop? 15 MR. GUTMAN: Same objections. 16 THE WITNESS: Stop herself initiating a hello to 17 me? 18 BY MR. ROSENBLATT: 19 Q. Did she ever tell you to stop in Argentina? 20 A. I don't remember. 21 Q. On February 17th, 2017, were you in Adelaide, 22 Australia? 23 A. I don't remember. 24 Q. Did you instruct Ms. Benzova to come to your 25 hotel room?
Page 260 1 MR. GUTMAN: Objection to form. 2 THE WITNESS: I don't remember. 3 BY MR. ROSENBLATT: 4 Q. Did you tell Ms. Benzova to come to your hotel 5 room to discuss a documentary and coffee table books? 6 MR. GUTMAN: Objection to form. 7 THE WITNESS: I don't remember. 8 BY MR. ROSENBLATT: 9 Q. Did you direct her to sit on the bed? 10 MR. GUTMAN: Objection to form. 11 THE WITNESS: I don't remember. 12 BY MR. ROSENBLATT: 13 Q. Did you offer her wine? 14 MR. GUTMAN: Are you still talking at this Adelaide 15 event in 2017? 16 MR. ROSENBLATT: Yeah, we're in Adelaide, February 17 of 2017. 18 THE WITNESS: I don't remember. 19 BY MR. ROSENBLATT: 20 Q. On November 15th, 2018, were you in Taipei, 21 Taiwan? 22 A. I don't remember. 23 Q. At 6:00 a.m. in Taipei, Taiwan, did you order 24 her to come to your hotel room? 25 MR. GUTMAN: Objection to form.	Page 261 1 THE WITNESS: "Order her"? 2 MR. ROSENBLATT: Yes. 3 THE WITNESS: I don't remember. 4 BY MR. ROSENBLATT: 5 Q. Did you tell her to drink wine with you alone? 6 MR. GUTMAN: Objection to form. 7 THE WITNESS: I never told her to drink wine with 8 me alone. 9 BY MR. ROSENBLATT: 10 Q. On May 14th – on May 4th, 2018, were you in 11 Venice, California? 12 A. Was I where? 13 Q. In Venice, California. 14 A. I don't remember. 15 Q. Was there a Guns N' Roses function that night? 16 A. I don't remember. 17 Q. Did you drive a Tesla in 2018? 18 MR. GUTMAN: I'm sorry, "Did you drive a Tesla" 19 what? 20 THE REPORTER: "In 2018." 21 THE WITNESS: I had multiple cars. 22 BY MR. ROSENBLATT: 23 Q. Was one of them a Tesla? 24 A. Yes. 25 Q. Did you drive Ms. Benzova home from a Guns N'

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Page 262 1 Roses function that night? 2 A. There was one night that I drove Kat home. I 3 don't remember which night. 4 Q. Do you remember what happened that night? 5 MR. GUTMAN: And by "that night," you're talking 6 about this – 7 MR. ROSENBLATT: May 14th, 2018, Venice, 8 California – 9 MR. GUTMAN: That he doesn't remember. 10 MR. ROSENBLATT: – Guns N' Roses function. 11 MR. GUTMAN: I know, but you're saying "that 12 night." 13 Do you recall an event where you drove her 14 home? 15 THE WITNESS: There was an event that I drove her 16 home. 17 BY MR. ROSENBLATT: 18 Q. Did you try to kiss her that night? 19 A. No. 20 Q. Did you force yourself on her that night? 21 A. No. 22 Q. Did you tell her that if no one reported her 23 that no one would believe her? If she reported your 24 conduct, that no one would believe her? 25 A. Never.	Page 263 1 Q. Did you send Ms. Benzova a picture of condoms 2 on March 12th, 2020? 3 A. I sent her a sticker of condoms that stated 4 "previously used" as a joke, as that is how we 5 communicated. 6 Q. Under the condom, did you say, "come watch a 7 movie and sleep"? 8 A. I don't remember. 9 MR. ROSENBLATT: 232. 10 (Defendant's Exhibit 232 was marked.) 11 MR. ROSENBLATT: This is a text communication 12 between Fernando and Kat. On the second page, it says, 13 "I don't know how many times I have said the same things 14 on [the] subject. If you want to be a star, gain 15 traction or be known as our official photographer, you 16 have to consult with me." 17 Q. What did you mean by that? 18 MR. GUTMAN: First of all, you need to 19 authenticate, does he recognize this is, is this an 20 actual text message that he sent, questions typically 21 along those lines, because it's not dated, and it 22 appears to be two cut-off messages on two separate 23 pages. So I'm not even sure – anyway, you want him to 24 say what he meant by something you haven't even asked if 25 he actually wrote. So start there.
Page 264 1 BY MR. ROSENBLATT: 2 Q. Mr. Lebeis, did you write, "I don't know how 3 many times I have said the same things on this ... 4 subject. If you want to be a star, gain traction or be 5 known as our official photographer, you have to consult 6 with me"? 7 A. Did I say that? 8 Q. Did you write that? 9 A. If this is my text message. But I don't know 10 what this is in regards. I wouldn't just say that out 11 of the blue. 12 Q. Do you remember the context? 13 A. No. 14 Q. Do you remember telling Kat – on the first 15 page. Did you write, "Kat, promoting yourself as GNR 16 and ACDC's tour photographer doesn't sit well. It's 17 that simple. You are family and truly a special human"? 18 A. Okay. 19 Q. Does that – 20 A. No, I still don't know what I'm talking to her 21 about. 22 Q. Okay. So you don't know what, "If you want to 23 be a star, gain traction or be known as our official 24 photographer, you have to consult with me," you don't 25 know what that means at all?	Page 265 1 A. I know what it means, but I don't know what 2 it's in regards. 3 Q. I'm confused. 4 A. I'm confused. 5 Q. Okay. Okay. So let me start over, then. 6 "If you want to be a star, gain traction or be 7 known as our official photographer, you have to consult 8 with me." 9 Is it your understanding that Katarina 10 Benzova, on her own, at this time, didn't have the right 11 to exploit her own photographs? 12 MR. GUTMAN: Objection. Misstates, misrepresents, 13 out of context. And foundation. 14 THE WITNESS: I don't know what I'm speaking about 15 when I say what you just read, if this is truly my 16 message. I am speaking about her doing something that I 17 don't recall what it was. 18 MR. GUTMAN: Why don't you look at the rest of the 19 text message that's at least part of what's been cut off 20 but it's part of Exhibit 232, which Counsel has 21 determined to select just a truncated or abbreviated 22 portion. 23 THE WITNESS: This is me criticizing her from – I 24 believe she did something that she's apologizing for. 25 Maybe she gave an interview, assuming, saying, promoting

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Page 266 1 herself as GNR and AC/DC's tour photographer. I don't 2 know. I honestly don't know what I'm talking about 3 here. But I do end with I believe in her and I'm here 4 to help, so... And she understands and says, "I get it 5 Fe." So I'm not understanding. 6 BY MR. ROSENBLATT: 7 Q. So if she wants to be known as the Guns N' 8 Roses official photographer, though, she needs 9 permission? 10 MR. GUTMAN: Objection. Foundation. Speculation. 11 Assumes facts. 12 THE WITNESS: No, because everybody's aware that 13 she's our photographer. 14 BY MR. ROSENBLATT: 15 Q. Okay. And what do you mean, "if you want to 16 be a star"? What does that mean? 17 A. That's what I'm saying, I don't know. I don't 18 know what my message is about. I don't know what's 19 above. So I don't understand the question. 20 Q. So Kat's not allowed to promote herself as the 21 GNR and AC/DC tour photographer, correct? 22 MR. GUTMAN: If you know. 23 Foundation. 24 THE WITNESS: She's – she's allowed. 25 MR. ROSENBLATT: 233.	Page 267 1 (Defendant's Exhibit 233 was marked.) 2 MR. GUTMAN: For the record, Exhibit 233 appears to 3 be multiple e-mails from November 30, 2017. I'm not 4 familiar with the format. It looks like Counsel is 5 determined to put two separate e-mails. I don't know if 6 it's an e-mail chain or that these two e-mails were put 7 together purposefully in this format. 8 BY MR. ROSENBLATT: 9 Q. Do you remember these e-mail, Mr. Lebeis? 10 A. I do not. 11 Q. Do you remember having any discussions with 12 Kat around November 30th, 2017, about photo credit? 13 MR. GUTMAN: You mean independent of this 14 particular e-mail, or two e-mails? 15 MR. ROSENBLATT: At any time. 16 MR. GUTMAN: No, the question is does he have a 17 recollection of November 30, 2017, independent of this 18 e-mail. 19 MR. ROSENBLATT: At any time. 20 MR. GUTMAN: I don't understand the comment. 21 THE WITNESS: I don't understand. 22 MR. GUTMAN: You can answer if you understand. 23 I'm going to interpose an objection that it's 24 unintelligible. 25 THE WITNESS: I don't understand the question.
Page 268 1 BY MR. ROSENBLATT: 2 Q. On or about November 30th, 2017, do you recall 3 having any discussions with Katarina Benzova regarding 4 photo credit? 5 MR. GUTMAN: And my question is – it's 6 unintelligible. I asked for clarification. You don't 7 understand you're not asking an intelligent question, an 8 unintelligible question. 9 THE WITNESS: I don't remember this e-mail. I 10 don't know what book she's referring to. 11 MR. GUTMAN: He's not even asking you about the 12 e-mail. He's asking you if you recall on November 30, 13 2017 – 14 A. No. 15 MR. GUTMAN: – discussions. 16 THE WITNESS: No, I do not remember. 17 MR. GUTMAN: That's what I was trying to clarify. 18 BY MR. ROSENBLATT: 19 Q. Did you ever promise her, Kat, photo credit? 20 MR. GUTMAN: Objection to form. And foundation. 21 THE WITNESS: I don't remember. 22 MR. ROSENBLATT: I'm gonna provide you a bunch of 23 contracts, okay, as one exhibit, 234. 24 MR. GUTMAN: A bunch of contracts as one exhibit? 25 No, we do each contract is one exhibit.	Page 269 1 MR. ROSENBLATT: 234 is a contract. 2 (Defendant's Exhibit 234 was marked.) 3 BY MR. ROSENBLATT: 4 Q. Do you remember this contract? 5 A. No. 6 Q. The term of engagement is from March 9th, 7 2013, through March 30th, 2013. 8 Did you present this contract to Kat? 9 A. I don't remember. 10 Q. Did Kat sign this contract? 11 A. I don't remember. 12 MR. ROSENBLATT: We're almost done, you guys. 13 (Defendant's Exhibit 235 was marked.) 14 MR. ROSENBLATT: Document 235. This is another 15 public record, Document 56, Second Amended Complaint For 16 Declaratory Relief. 17 The last page, page 7, it says, "Plaintiffs 18 respectfully request judgment against Defendant Benzova 19 as follows: 20 "A judicial determination and declaration 21 that" – 22 MR. GUTMAN: Hold on one second. My ear piece. 23 MR. ROSENBLATT: No problem. 24 MR. GUTMAN: It's amplified in my ear. All right, 25 I'm sorry.

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Page 270 1 BY MR. ROSENBLATT: 2 Q. "WHEREFORE, Plaintiffs respectfully request 3 judgment against Defendant Benzova as follows: 4 "A judicial determination and declaration that 5 (a) Plaintiffs have an irrevocable express oral or 6 implied license to use the photographs and videos 7 Benzova was paid to take, and (b) Benzova has no legal 8 or factual basis to assert infringement against 9 Plaintiffs or any affiliated person or entity in 10 connection with any of the works created by Benzova 11 while providing services described herein." 12 2, "For costs and attorney's fees incurred 13 herein." 14 And 3, "For such other and further relief as 15 the Court deems just and proper." 16 MR. GUTMAN: Is that a question? 17 BY MR. ROSENBLATT: 18 Q. Are you aware that there's no request for a 19 determination of ownership of the photographs in this 20 pending case? 21 MR. GUTMAN: Objection. To the extent that any of 22 your knowledge about the subject of this litigation 23 resulted from any communications with counsel, I will 24 instruct you not to answer on the basis of the 25 attorney-client privilege.	Page 271 1 THE WITNESS: Attorney-client privilege. 2 BY MR. ROSENBLATT: 3 Q. If you found out that Kat Benzova owned all of 4 the photographs and that all of the work-for-hire 5 agreements were invalid, would you have a duty to inform 6 Guns N' Roses? 7 MR. GUTMAN: I'm gonna instruct the witness not to 8 answer. It's an improper question. Incomplete 9 hypothetical. Calls for speculation. It's also based 10 on privileged communications. And a legal conclusion. 11 MR. ROSENBLATT: Turn to... 12 MR. GUTMAN: Counsel, it's rudimentary, you can't 13 act a fact witness about legal contentions. It's just 14 pure harassment. 15 MR. ROSENBLATT: It just appears at this moment in 16 time, almost a year after this was filed, that Axl Rose 17 or Fernando Lebeis believes that they're owners of the 18 photographs in question. 19 Q. And I'm just asking if you currently believe, 20 as of today, that you are the owner of the photographs 21 that are at issue in this case? 22 MR. GUTMAN: I'm gonna instruct the witness not to 23 answer to the extent that any of his knowledge is based 24 upon privileged communications with counsel. 25 And I'm gonna warn Counsel once again, you are
Page 272 1 over the line in terms of the improper questioning 2 tactics, that it is rudimentary, you cannot ask a fact 3 witness about legal contentions and legal conclusions, 4 and certainly not based upon information that they would 5 have as a result of attorney-client privileged 6 communications. 7 MR. ROSENBLATT: Are you instructing him not to 8 answer? 9 MR. GUTMAN: I did. I thought that was the first 10 thing I said. You can read back my little speech here 11 and see if I instructed him. 12 (Record partially read.) 13 MR. GUTMAN: Let's just resume. I'll just pick up 14 fresh. 15 I'm instructing the witness not to answer that 16 question or any other legal contention questions that 17 rely upon privileged communications. 18 BY MR. ROSENBLATT: 19 Q. Are you aware that the holder of an implied 20 license and copyright is not a copyright owner? 21 MR. GUTMAN: I'm gonna instruct the witness not to 22 answer to the extent that his information might be based 23 upon privileged communications with counsel. I'm not 24 even sure I understand the question, but the witness is 25 instructed not to respond if it requires privileged	Page 273 1 communications. 2 THE WITNESS: Yeah, I don't understand the 3 question, but it does seem attorney-client privilege. 4 MR. ROSENBLATT: How much time on the record? 5 THE VIDEOGRAPHER: Can I take us off? 6 MR. ROSENBLATT: Yeah. 7 MR. GUTMAN: Why are we going off the record? 8 MR. ROSENBLATT: I've got to go to the restroom. 9 MR. GUTMAN: We've only been back like 25 minutes. 10 MR. ROSENBLATT: We're gonna wrap up very soon. 11 MR. GUTMAN: Define "very soon," because I want to 12 get out of here. He's got a flight. I got work to do. 13 MR. ROSENBLATT: Yeah, very soon. 14 MR. GUTMAN: No, no, no. We've been on the record 15 for 25 minutes, and it's late in the day. You're 16 wasting a ton of time. How much time you got left, 17 before we take a break and go off the record right now? 18 MR. ROSENBLATT: I'd say about five to ten minutes, 19 you guys. 20 MR. GUTMAN: You got ten minutes. With that, we 21 can go off the record. 22 THE VIDEOGRAPHER: Off record. The time is 23 5:04 p.m. Pacific time. 24 (Recess.) 25 THE VIDEOGRAPHER: We are back on the record. The

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Page 274 1 time is 5:09 p.m. Pacific time. 2 BY MR. ROSENBLATT: 3 Q. Okay, Mr. Lebeis, do you -- new question. 4 Is Axl Rose the guiding spirit of Guns N' 5 Roses? 6 MR. GUTMAN: Objection as to form. Vague, 7 ambiguous, and unintelligible. 8 THE WITNESS: I don't understand the question. 9 BY MR. ROSENBLATT: 10 Q. Is he the central figure of Guns N' Roses? 11 MR. GUTMAN: Objection to form. Vague, ambiguous, 12 unintelligible. 13 THE WITNESS: Most of the time, the vocalists are 14 the storytellers. 15 BY MR. ROSENBLATT: 16 Q. Can you elaborate? 17 MR. GUTMAN: I'm sorry, I couldn't hear the 18 question. Can I have it back, please. 19 (Last question read.) 20 MR. GUTMAN: Objection. Argumentative. 21 THE WITNESS: No. 22 BY MR. ROSENBLATT: 23 Q. Has he been with Guns N' Roses the whole time? 24 A. Yes. 25 Q. Is he the only one that's been with Guns N'	Page 275 1 Roses the whole time? 2 A. I don't know. 3 Q. Has Slash been with Guns N' Roses the whole 4 time? 5 MR. GUTMAN: When you say "the whole time," since 6 the band's formation? 7 MR. ROSENBLATT: Since the formation of the band, 8 that I believe is in 1985. 9 MR. GUTMAN: Come on, this witness hasn't been even 10 alive since the beginning. 11 THE WITNESS: I mean, I would like not to be alive, 12 but I'm a little bit older, '79. 13 MR. GUTMAN: This is all a matter of public record. 14 You're wasting his time. You're wasting our time. 15 MR. ROSENBLATT: We're not. 16 MR. GUTMAN: Do you know what year Slash was in the 17 band, this is all public record. This witness has no 18 firsthand knowledge. 19 THE WITNESS: What's your question? 20 BY MR. ROSENBLATT: 21 Q. Is Axl Rose the guiding spirit and central 22 figure of Guns N' Roses? 23 MR. GUTMAN: It was asked and answered. Move on. 24 BY MR. ROSENBLATT: 25 Q. Of the Guns N' Roses enterprise.
Page 276 1 MR. GUTMAN: It's argumentative, completely 2 nonsensical. Vague, ambiguous, and unintelligible. 3 THE WITNESS: Axl has been there since the 4 beginning. 5 BY MR. ROSENBLATT: 6 Q. And he's the president of the Guns N' Roses 7 partnership? 8 A. I don't know. 9 MR. GUTMAN: I'm sorry, what? Guns N' Roses what? 10 THE WITNESS: Partnership. 11 MR. GUTMAN: Partnership. A president of the 12 partnership, okay. 13 THE WITNESS: I don't know. 14 MR. GUTMAN: No foundation. 15 THE WITNESS: I don't know. 16 BY MR. ROSENBLATT: 17 Q. Did the photos taken by Kat contribute in any 18 way to merchandising revenue? 19 MR. GUTMAN: Objection. Foundation. Speculation. 20 THE WITNESS: I don't know. 21 BY MR. ROSENBLATT: 22 Q. Who would know? 23 MR. GUTMAN: Objection. Foundation. Speculation. 24 Also calls for an expert opinion. 25 THE WITNESS: I don't know. Bravado?	Page 277 1 MR. GUTMAN: Don't guess or speculate. 2 THE WITNESS: I don't know. 3 BY MR. ROSENBLATT: 4 Q. Would Alex Santos know? 5 MR. GUTMAN: Objection. Speculation. Asked and 6 answered. 7 THE WITNESS: What was the question? 8 MR. ROSENBLATT: Repeat the pending question, 9 please. 10 (Last question read.) 11 MR. GUTMAN: Would he know what? If the 12 photographs contributed to merchandise sales? Is that 13 the question? 14 MR. ROSENBLATT: Will you repeat the first 15 question. It begins with "did the photos." 16 (Record read as follows: "Did the photos 17 taken by Kat contribute in any way to 18 merchandising revenue?") 19 MR. GUTMAN: Objection. Foundation. Speculation. 20 THE WITNESS: I don't know. 21 BY MR. ROSENBLATT: 22 Q. And would Alex Santos know? 23 MR. GUTMAN: How does he know what anybody else 24 knows? Objection. Foundation. Speculation. 25 THE WITNESS: I don't know.

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Page 278 1 BY MR. ROSENBLATT: 2 Q. Did the photographs taken by Kat contribute in 3 any way to advertising revenue? 4 MR. GUTMAN: To what? 5 THE REPORTER: "Advertising revenue." 6 MR. GUTMAN: How do you get revenue from 7 advertising? Objection. Foundation. Makes no sense. 8 THE WITNESS: I don't understand the question. So 9 yeah, I don't know. 10 BY MR. ROSENBLATT: 11 Q. Did the photos taken by Kat contribute in any 12 way to concert sale tickets? 13 MR. GUTMAN: Objection. Foundation. Speculation. 14 THE WITNESS: I don't know. 15 BY MR. ROSENBLATT: 16 Q. Did the photographs taken by Kat contribute in 17 any way to the Nightrain subscription fee? 18 MR. GUTMAN: Objection. Foundation. Speculation. 19 THE WITNESS: I don't know. 20 BY MR. ROSENBLATT: 21 Q. Do you know who would know? 22 MR. GUTMAN: Objection. Foundation. It's 23 something that didn't happen. So how is he gonna know 24 about something – somebody who knows something that 25 didn't happen?	Page 279 1 THE WITNESS: I don't know. 2 BY MR. ROSENBLATT: 3 Q. Did the photographs taken by Kat Benzova 4 contribute to Guns N' Roses revenue in any way 5 whatsoever? 6 MR. GUTMAN: Objection. Foundation. Speculation. 7 THE WITNESS: I don't know. 8 MR. ROSENBLATT: Okay. Thank you, guys. 9 MR. GUTMAN: What was the last thing? 10 THE WITNESS: "Thank you, guys." 11 MR. GUTMAN: Oh, that's how he finishes? All 12 right. 13 THE WITNESS: Thank you. 14 THE VIDEOGRAPHER: And before I take us off, 15 Mr. Gutman, would you like to purchase a copy of the 16 transcript – 17 MR. GUTMAN: I do not want a copy of the video at 18 this time, but I would like your contact information in 19 case I later decide to acquire one. I will take a copy 20 of the transcript. 21 THE VIDEOGRAPHER: Sounds great. With that, I will 22 go ahead and take us off. 23 This concludes today's deposition. We are 24 going off the record at 5:16 p.m. Pacific time. 25 -oOo-
Page 280 1 CERTIFICATE OF REPORTER 2 -oOo- 3 I, Lisa Atlas, Certified Shorthand Reporter 4 No. 13330, in and for the State of California, do hereby 5 certify: That prior to being examined, the witness 6 named in the foregoing deposition was by me duly 7 affirmed to testify the truth, the whole truth, and 8 nothing but the truth; 9 That a verbatim record of the proceedings was 10 made by me using machine shorthand which was thereafter 11 transcribed under my direction; further, that the 12 foregoing is an accurate transcription thereof;. 13 That no request was made that the transcript be 14 reviewed pursuant to Section 30(e) of the Federal Rules 15 of Civil Procedure. 16 I further certify that I am neither financially 17 interested in the action nor a relative or employee of 18 any attorney or any of the parties; 19 In witness whereof, I have this date subscribed 20 my name: 21 DATED: February 12, 2026 22 23 _____ 24 Lisa Atlas, CSR No. 13330 25	Page 281 1 ACKNOWLEDGEMENT OF DEPONENT 2 3 I, _____, do hereby acknowledge that 4 I have read and examined the foregoing testimony, and 5 the same is a true, correct and accurate 6 transcription of the testimony given by me, and any 7 corrections appear on the attached errata sheet 8 signed by me. 9 10 11 _____ 12 (DATE) (SIGNATURE) 13 14 15 16 17 18 19 20 21 22 23 24 25

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Fernando Lebeis
3 January 30, 2026
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25 Fernando Lebeis

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